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# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, January 11, 2001

1:30 PM

DOCUMENTS DEPT.

Regular Meeting

FEB 1 6 2001

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PRESENT: ABSENT: Baltimore, Chinchilla, Fay, Joe, Mills, Salinas, Theoharis

None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 p.m.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner- Zoning Administrator; Rick Cooper; Paul Deutsch; Ken Rich; Rick Crawford; Andrea Wong; Jim Miller; Dan DiBartolo; Ken Chin; Sharon Young; Ricardo Bressanutti; Thomas Wang; Augustine Fallay; Susan Snyder; Nora Priego - Transcription Secretary; Andrea Green – Acting Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

2000.677C (CHIN: 575-6897)
 <u>373 BROADWAY STREET</u> - southeast corner of Broadway Street and Bartol Street; Lot
 018 in Assessor's Block 0164. Request for Conditional-Use Authorization pursuant to
 Section 714.83 of the Planning Code to install a total of twelve antennas and a base
 transceiver station on an existing four-story over basement building, as part of AT&T's
 wireless cellular network in the Broadway (Neighborhood Commercial) District and a 65 A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Proposed for Continuance to January 18, 2001)

SPEAKER(S): None

ACTION: Continued to January 18, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

2. 1997,433A (KOMETANI: 558-6478)

<u>22 ALTA STREET</u> - north side between Montgomery and Sansome Streets. Lot 34A in Assessor's Block 106. Request for Certificate of Appropriateness Authorization, under Article 10 of the Planning Code, to construct a new, one-unit, residential building, two stories at the front (Alta Street) elevation and five stories at the rear in the Telegraph Hill Historic District. The subject property is zoned RH-3 (House, Three-Family) District and is in a 40-X Height and Bulk District.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of November 16, 2000) (Proposed for Continuance to January 18, 2001)

SPEAKER(S): None

ACTION: Continued to January 18, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

3. 2000.1007T (LORD: 558-6311) LIVE-WORK TO LOFT HOUSING AMENDMENT - Consideration of adoption of amendments to Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 redefining "live/work" units as "loft housing" and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to some existing live/work controls except that there would be no restriction on the nature of work which could be performed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) Zoning District and no requirement that the occupant(s) work in the unit, would require loft housing to comply with existing inclusionary housing policies, would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with non-residential design quidelines and all requirements for residential uses except for front setback and open

space requirements, would establish procedures for converting live/work units to non-residential uses, and would establish loft housing, rear yard exposure requirements. This

ordinance supersedes any inconsistent Planning Commission policies. Preliminary Recommendation: Adopt the Draft Ordinance (Continued from Regular Meeting of December 14, 2000) (Proposed for Continuance to January 18, 2001)

SPEAKER(S): None

ACTION: Continued to January 18, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

4. 2000.863BV (WONG: 558-6381) 2712 MISSION STREET - The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831-gross-square-foot building into a 30,847-gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of December 12, 2000) (Proposed for Continuance to January 25, 2001)

SPEAKER(S): None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

5. 2000.863BV (WONG: 558-6381)

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2712 MISSION STREET - The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

(Continued from Regular Meeting of December 12, 2000) (Proposed for Continuance to January 25, 2001)

SPEAKER(S): None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

6. 1999.770DDDDD

(WANG: 558-6335)

567 - 569 SANCHEZ STREET, east side between 19th and Hancock Streets; Lot 032 in Assessor's Block 3585. The proposal is to demolish an existing single-family dwelling with a detached garage and construct a new three-story plus attic over garage, two-family dwelling, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to January 25, 2001)

# SPEAKER(S):

Sue Hestor:

- Would like to request a continuance beyond January 25.

Steve Nichelson:

- Lives on Sanchez Street
- He supports request to continue project beyond January 25.
- He just received the set of revisions yesterday and a model needs to be constructed with new changes; therefore, there is no way they will be able to finish it on time.

SPEAKER(S): None

ACTION:

Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

7. 2000.1148C

(BRESSANUTTI: 575-6892) 700-740 LE CONTE AVENUE AND 845 MEADE AVENUE, at Jennings Street, Lots 115 and 116 in Assessor's Block 4991. Consideration of the possible revocation or modification of, or placement of additional conditions on, a prior conditional use authorization (Case No. 86.229C for a planned unit development for up to 45 dwelling units), per Planning Code Section 303(f). As a condition of the original approval, Lots 133 and 134 were to be donated to the Recreation and Park Department and improved for use as a playground. There have been unresolved complaints from the Recreation and Park Department and the Office of the City Attorney that the owner of these two lots will not transfer title to the parcels to the Recreation and Park Department. The property is in a RH-1 (Residential, House, One-Family) District and an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

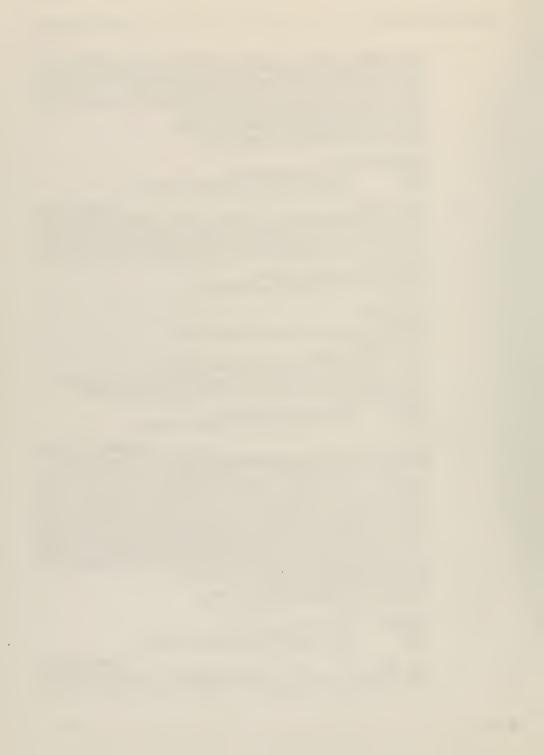
(Proposed for Continuance to January 25, 2001)

SPEAKER(S): None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

(SMITH: 558-6322) 8. 2000.1033D 4328 20th STREET - Lot 016, in Assessor's Block 2697. Request for Discretionary Review of Building Permit Application No. 2000/08/01/6694 proposing to raise the



existing building two feet to construct a new garage and rooms at the basement level and construct a two-story rear addition that projects 13'-6" beyond the existing rear building wall. The proposal also includes constructing two new decks at the rear of the addition, constructing a new dormer on the fourth floor, and infilling the walkway that leads to the service entry on the side of the building in an RH-3 (House, Three-Family) District; and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to February 15, 2001)

SPEAKER(S): None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

9. 1999.210E (BLOMGREN: 558-5979)
3620 - 19th STREET - Within the block bound by 18th Street, Guerrero Street, 19th
Street, and Oakwood Street, Assessor's Block 3587, Lots 18, 68, and 70. Appeal of a
Preliminary Negative Declaration. Proposed new construction of five two-, three-, and
four-story buildings containing a total of 43 dwelling units The site currently has a 32space parking lot which is accessed by a gate on Oakwood, and a facade of an industrial
building at the 3620 19th Street frontage which would be demolished. The new buildings
would reach a maximum height of 40 feet in a 40-X height/bulk district. Lots 68 and 70
are located in a RH-2 (Residential House, Two-Family) zoning district. Lot 18 is located
in a RH-3 (Residential House, Three-Family) zoning district.

(Proposed for Continuance to February 22, 2001)

SPEAKER(S): None

ACTION: Continued to February 22, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

10. 2000.1092C (MEHRA: 558-6257)

3632-38 SACRAMENTO STREET - north side between Spruce and Locust Streets; Lot 9 in Assessor's Block 1011. Request for Conditional-Use Authorization pursuant to Planning Code Section 724.53, to allow Business or Professional Service on the first floor of the subject property. The subject building's legal use includes a restaurant (Tuba Garden, now vacant) on the first floor and a dwelling unit on the second floor. The second floor dwelling unit was converted to office use and is currently occupied by a property management firm. The proposal is to convert the restaurant space to a business or professional service on the first floor and restore one parking space in the basement. Since the Planning Code does not permit business or professional service use above the first floor, the project is required to restore the dwelling unit at the second floor level. The subject property is located in the Sacramento Street NCD (Neighborhood Commercial District) with a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

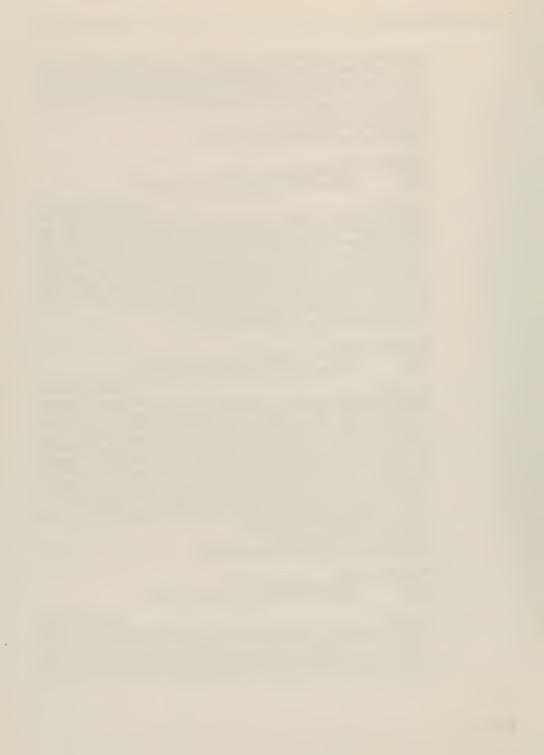
(Proposed for Continuance to February 22, 2001)

SPEAKER(S): None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

11. 2000.436C (SMITH: 558-6322) 1594 - 43RD AVENUE - northeast corner of the intersection of Lawton Street and 43rd Avenue; Lot 017 in Assessor's Block 1888. Request for Conditional Use Authorization under Planning Code Section 710.83 to install three antennas in a canister on the roof and two equipment cabinets and one battery cabinet in the garage of a mixed-use building located in a (NC-1) Neighborhood Commercial Cluster District and a 40-X Height



and Bulk District. The subject site is a Limited Preference 6 site according to Wireless Telecommunications Services (WTS) Siting Guidelines, 1996.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of December 14, 2000)

(Proposed for Continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

### B. COMMISSIONERS' QUESTIONS AND MATTERS

12. Consideration of Adoption - draft minutes of November 2, 9, 16, 2000.

SPEAKER(S): None ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

### Commission Matters

### Commissioner Theoharis:

Re: Calendar of 2001

- It will be scheduled before the Commission on January 25, 2001.

Re: 175 Russ Street

 There is a letter from Ms. Sanchez stating that there is an easement. She would like ZA to follow up on this letter.

### Re: 240 16th Avenue

- There has been extensive work done to this property without permits. She would like a planner to go to this address and take a look at the property. This item is scheduled for January 18, 2001 so she would like a staff report at that time.

### Commissioner Salinas:

Re: 1176 Sutter Street (AKA, 1214 Polk Street)

For future projects, he would like to see a representative from the police department speak regarding the sound-proof tests.

# Commissioner Baltimore:

Re: 1176 Sutter Street (AKA, 1214 Polk Street)

She would like to ensure that there are no violations of the conditions of approval.

### C. DIRECTOR'S REPORT

14. (BADINER: 558-6350)

Status Report on Compliance with Conditions of Approval for 350 Divisadero Street (San Francisco Patients' Resource Center)

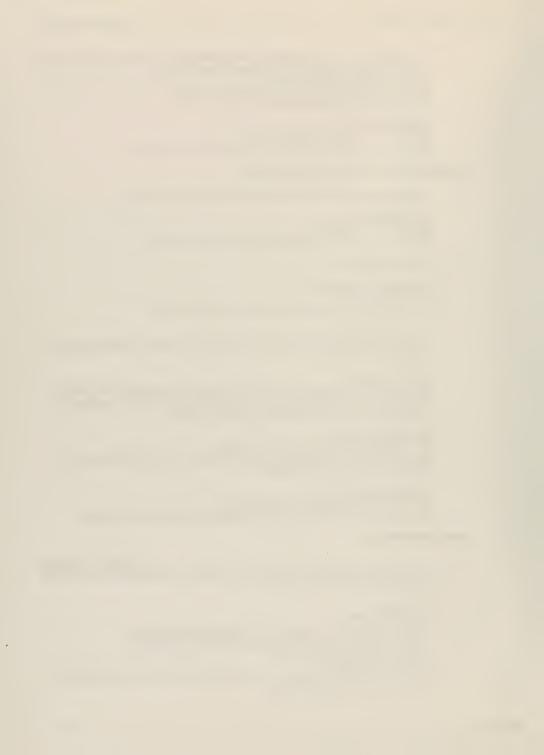
### SPEAKER(S):

# (-) Patricia Vaughey

- There have been many complaints about the handicap parking space.
- She had requested earlier that the Commission monitor this project.
- There is loitering in the area as well.

# (-) (Did not state name)

- There is a white zone in the area for patients to be dropped off and picked up and there is a lot of misuse of the parking space.



- The handicap zone is for anyone who has a handicap, license yet some of these people who park there are not necessarily coming into the clinic.
- People who have a handicap for example and are able to drive, should be able to park nearby and come into the clinic.
- Sometimes the problems are too much and this is why this item is presented to the Commission.

### (-) Judith Cominski

- She lives and works in the neighborhood.
- There are many problems in the area because of the clinic, like loitering, people speaking very loudly, people hanging outside.
- She can't be calling the Police Department all the time.

### (+) Wayne Justman - Sponsor

- Co-founder of the San Francisco Patients' Resource Center
- At the time the project came before the hearing, he tried to address all the concerns and the issues of the neighbors.
- He appreciates the fact that a new business has opened up across the street.
- The area is definitely growing.
- They have an "open door" policy so neighbors can come to the clinic and talk about their concerns.
- Director's Announcements

None

 Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOS

None

BOA None

### D. REGULAR CALENDAR

17. 1999.795F

(COOPER: 558-5974)

KING-TOWNSEND BUILDING AND COMMUNITY GARAGE - Certification of a Final Environmental Impact Report (EIR) prepared for the construction of a mixed-use building with parking, retail, office and live/work spaces at 175-179 and 183 Townsend Street (Assessor's Block 3794, Lots 4 and 7). The project site is an approximately 42,969-square-foot site fronting on both King and Townsend Streets between Second and Third Streets in the South of Market neighborhood. The project would contain a total of 657 parking spaces, approximately 29,275 square feet of retail uses in a ground-floor podium, approximately 46,775 square feet of office uses across six upper floors, plus a ground-floor lobby, and approximately 55 live/work spaces across seven upper floors. The building would vary in height between seven and ten stories, and between 90 and 110 feet. A 17-space surface parking lot and two connected industrial warehouse buildings, containing a retail/wholesale electrical supply store and office/multimedia use would be demolished. Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on November 7, 2000. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification only may be presented to the Planning Commission.

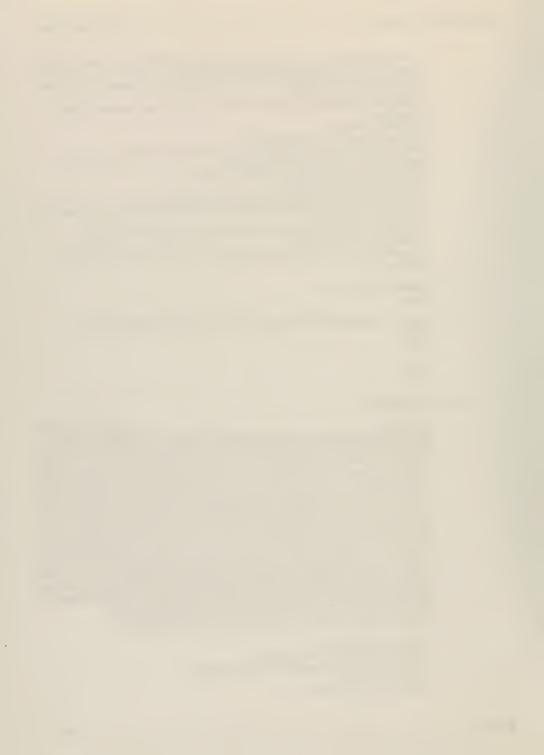
Preliminary Recommendation: Certify Final Environmental Impact Report

### (-) (Did not state name)

- This project is near the PacBell ballpark.
- It would be best if the Commission denies this project.

# (+) Jeffrey Leibovitz

- The EIR covered everything.



- He would like this EIR certified.

ACTION: Environmental Impact Report Certified

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16066

18. 1996,222F

(DEUTSCH: 558-5965) PENINSULA WATERSHED MANAGEMENT PLAN -Certification of Final Environmental Impact Report (EIR) prepared regarding the San Francisco Public Utilities Commission's (SFPUC) proposed Peninsula Watershed Management Plan. The Watershed Management Plan would provide comprehensive policies and actions for managing the land and resources of the 23,000-acre Peninsula Watershed, located in central San Mateo County, owned and administered by the San Francisco PUC Water Supply and Treatment Division. The watershed stores and provides water for homes and businesses in San Francisco and portions of San Mateo, Alameda and Santa Clara Counties. The Draft EIR, prepared by the San Francisco Planning Department, analyzes at a programmatic level the potential environmental impacts of various activities and development projects that could occur under the policies of the proposed Management Plan, and analyzes at a project level the proposed Fifield/Cahill Ridge Trail. Note: The public hearing on the Draft EIR ended on February 3, 2000. Public comments on the EIR certification only may be presented.

Preliminary Recommendation: Certify Final Environmental Impact Report

SPEAKER(S): None

ACTION: **Environmental Impact Report Certified** 

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16067

19.

(RICH: 558-6345)

General Plan Referral for Urban Design aspects of the Third Street Light Rail Project, including station platforms, street lighting, track way paving, and other urban design

Preliminary Recommendation: Finding of conformance with the General Plan.

Note: On October 12, 2000, following public testimony, the Commission closed public hearing and continued the matter to October 26, 2000, to explore funding sources by a vote of +7 -0.

(Continued from Regular Meeting of December 7, 2000)

# SPEAKER(S):

# (+) Laura Spancher - MUNI

- This is a very different project than the Embarcadero project.
- MUNI understands that they are trying to bring aesthetic improvements to this corridor.
- They have received as much funding as they possible can to improve areas of the corridor.
- The area in question is the Central Waterfront and Visitation Valley. MUNI needs to discuss the needs of the neighbors before certain improvements are made.

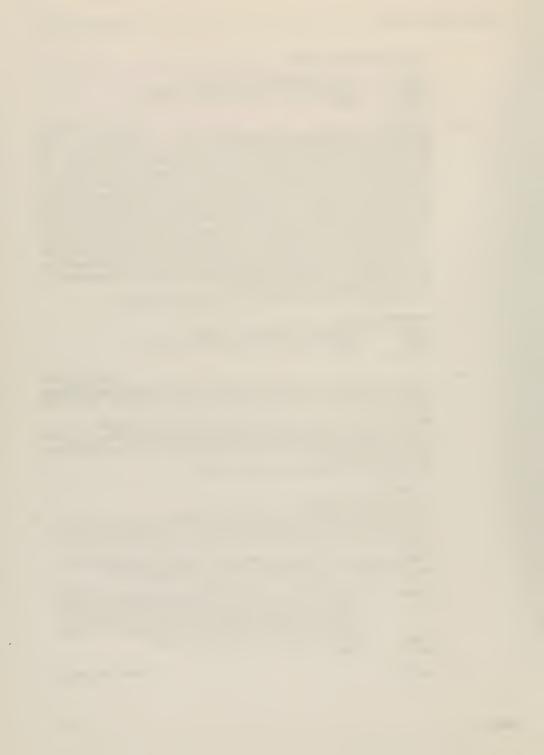
ACTION: Finding of conformance with the General Plan. Staff should report back

to the Commission under Director's Report on the Planning Effort and Timeline for the Visitation Valley community input of the General Plan Referral for Urban Design aspects of the Third Street Light Rail Project.

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis AYES:

MOTION: 16068

(CRAWFORD: 558-6358) 20. 1998.902B



FIRST AND HOWARD STREETS - (northeasterly corner of intersection) Assessor's Blocks 3720 (Lots 5, 6, and 7) Request under Planning Code Sections 320-322 (Office Development Limitation Program) for allocation of up to 295,000 gross square feet of office space for a ten-story building with prior 309 approval. This project lies within a C-3-O (SD) (Downtown, Office, Special Development) District and within the 350-S and 400-S Height and Bulk Districts. This request is for office space allocation for the final of four buildings approved for construction at the four corners of the intersection of First and Howard Streets.

Preliminary Recommendation: Approval with Conditions

### SPEAKER(S):

# (+) Tom Sullivan - Project Sponsor

- He has no remarks except to thank the Commission for considering this project and he is available for questions.

# (-) Roger Brandon

- This project will propose a problem to the buses coming and going to the terminal.
- The question is "how much office space do we really need?"
- There are a large number of office buildings, which are not being fully used.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16069

### 21a. 2000.1162BV

(WONG: 558-6381)

35 STANFORD STREET - east side, between Brannan and Townsend Streets; Lot 38 in Assessor's block 3788: Request under Planning Code Section 321 for authorization to convert 49,500 gross square feet in an existing building from industrial use to office use. This hearing shall also set forth an initial determination of the net addition of gross square feet of office space, pursuant to Planning Code Sections 313.4 and 314.4. The subject property falls within a SSO/MUHZ (Service/Secondary Office and Mixed-Use Housing Zone) Zoning District and a 50-X Height and Bulk District. The subject property is also a contributory structure within the South End Historic District.

Preliminary Recommendation: Approval with Conditions

### SPEAKER(S):

### (+) Steve Atkinson - Baker & McKenzie - Project Sponsor

- The space is needed for the expansion of a South of Market successful business.
- The adjacent building is particularly important.
- The area is well served by transit, which will increase the transit service.
- He would like the Commission to approve the project.
- He cannot get a long-term lease of a property for parking.

# (+/-) Jeffrey Leibovitz

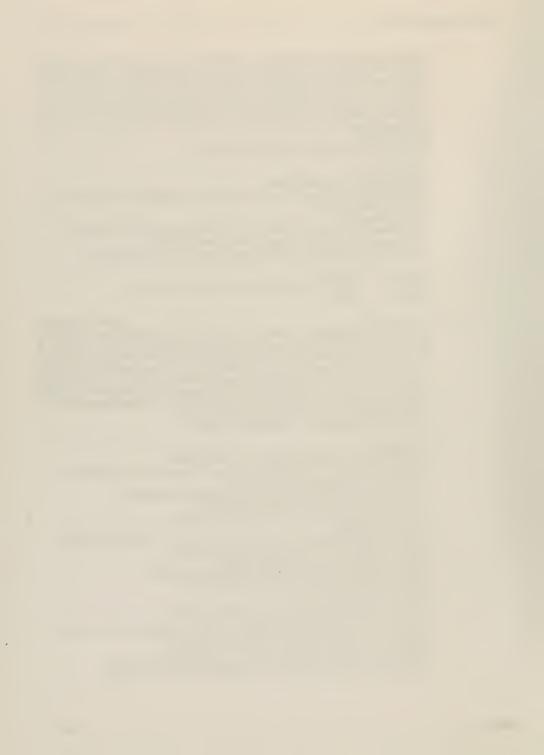
- He read a letter from the Rincon Center Citizen's Advisory Committee opposing the project because the site could be used for more retail space.
- There is great need for retail space in the area.
- Certain areas where there is more office space become a ghost.

# (-) Craig Adelman - 650 2<sup>nd</sup> Homeowners Association

- He lives in the neighborhood.
- He is representing about 25 homeowners and their concerns.
- The parking in the neighborhood has become critical.
- If and when the offsite-parking lease is up, he is worried that this will not be monitored.

### (-) Sue Hestor - San Franciscans for Reasonable Growth

- It has been very difficult to obtain a good list of office spaces.
- Staff should have this information online or readily available to the public.
- The question of parking requirements for SSO districts should be revisited.



- This area is one of the most difficult to get around since the entrance to the Bay Bridge is there, etc.

ACTION: Approved with Conditions AYES: Approved with Conditions Baltimore, Fay, Joe, Theoharis

NAYES: Chinchilla, Salinas

**MOTION:** 16070

21b. 2000.1162B<u>V</u> (WONG: 558-6381)

35 STANFORD STREET - east side, between Brannan and Townsend Streets; Lot 38 in Assessor's block 3788. The project proposes the creation of approximately 49,500 total gross square feet of office use, approximately 43,537 square feet of that as occupied floor area. Request for a variance waiving the provision of 33 off-site, required parking spaces in perpetuity of associated office use under Planning Code Section 159 (e). The proposed project requires 58 parking spaces, per Planning Code Section 151. Applying a legal parking deficiency of 25 spaces for the previous industrial use, under Planning Code Section 150 (c)(1), the amount of required parking is reduced to 33 spaces. The required parking will be provided off-site at 130 Townsend Street, Lot 8 in Assessor's Block 3788, which is within 800 feet of the subject property.

SPEAKER(S): None

ACTION: Zoning Administrator has taken variance under advisement

NOTE: Department to report back to the Commission on the monitoring of the

parking variance.

22a. 2000.774<u>B</u>C (MILLER: 558-6344)

2800 LEAVENWORTH STREET - entire block bounded by Beach, Jefferson, Jones and Leavenworth Streets, Lots 7 and 8 in Assessor's Block 11. Request under Planning Code Sections 320-322 (Office Development Limitation Program) for authorization of office space of more than 25,000 square feet but less than 50,000 square feet (pursuant to Section 321). The project proposal is the creation of up to 34,945 gross square feet of office space in an existing building (The Anchorage) through conversion of approximately one-third of the existing 89,730 square feet of retail space therein and by adding approximately 9,995 square feet of new office space. The project is in a C-2 (Community Business) District, also within the North Waterfront Special-Use District No. 2 and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

# SPEAKER(S):

### (+) Tom Harry Architects

- Showed pictures of where the changes will take place on the current building.
- The 2nd floor will have windows instead of a blank wall where the service corridor for retail is. The  $3^{\rm rd}$  floor will stay the same.
- The retail on the ground floor will be kept intact.
- The courtyard shops are also hard for customers to get to. Many bridges and other items, which block visibility into the courtyard, will be removed.

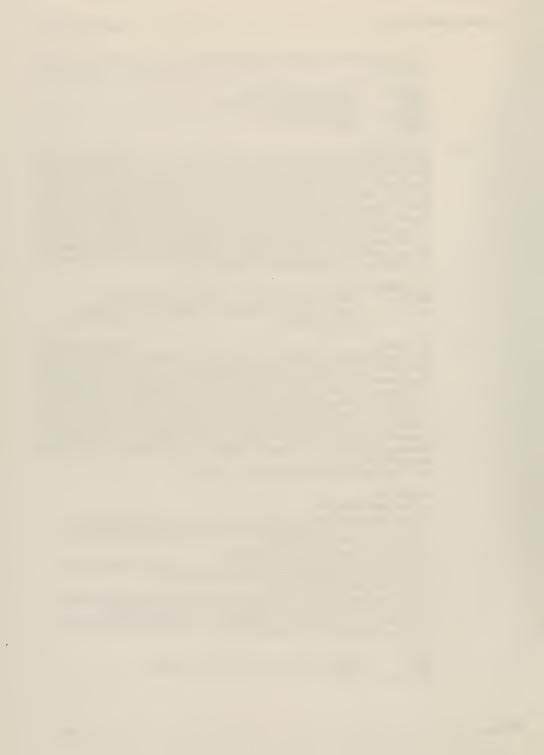
# (+) Drew Barayeb - Project Sponsor

- One of the most historically successful retail complexes is a shopping center in Hawaii.
- Fisherman's Wharf shops are very grateful for the F-line Streetcar of MUNI.
- Fisherman's Wharf is very quiet in the Wintertime. Having offices throughout the year will be very helpful for the shops and restaurants.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16071



22b. 2000.774BC

(MILLER: 558-6344) 2800 LEAVENWORTH STREET - entire block bounded by Beach, Jefferson, Jones and

Leavenworth Streets, Lots 7 and 8 in Assessor's Block 11. Request under Planning Code Sections 320-322 (Office Development Limitation Program) for authorization of a Conditional Use for conversion of approximately 5,500 square feet of retail space to an additional 12 hotel rooms (for a total of 137 hotel rooms on the subject property) with a total hotel square-footage of approximately 75,820, in a C-2 (Community Business) District, also within the Northern Waterfront Special-Use District No. 2 and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): See Item 22a. ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16072

23. 2000.1123C

(DiBARTOLO: 558-6291)

606 BROADWAY - northwest corner of Broadway, Grant and Columbus Avenues; Lot 002 in Assessor's Block 146. Request for Conditional Use Authorization under Section 714.27 of the Planning Code to extend the Hours of Use for the existing Full-Service restaurant in the Broadway Neighborhood Commercial District (NCD) and a 65-A-1 Height and Bulk District. The proposal is to allow the restaurant (New Sun Hong Kong) to service food to patrons between the hours of 2AM and 4AM, allowing for a 22-hour operation. The proposal will not involve any interior or exterior alterations.

Preliminary Recommendation: Approval with Conditions

# SPEAKER(S):

# (+) Jerry Klein

- Would like to have the Commission approve project.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16073

24. 2000.928C

(CHIN: 575-6897)

2750 VAN NESS AVENUE, southeast corner of Lombard Street and Van Ness Avenue; Lot 005G in Assessor's Block 0502. Request for Conditional-Use Authorization pursuant to Section 209.6 of the Planning Code to install a total of sixteen antennas and a base transceiver station on an existing three-story over basement building, also known as the Washington Mutual Bank, as part of Metricom's wireless Internet network in an RC-3 (Residential-Commercial, Medium) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

# SPEAKER(S):

# (+) Bob McCarthy - McCarthy and Swartz - Project Sponsor

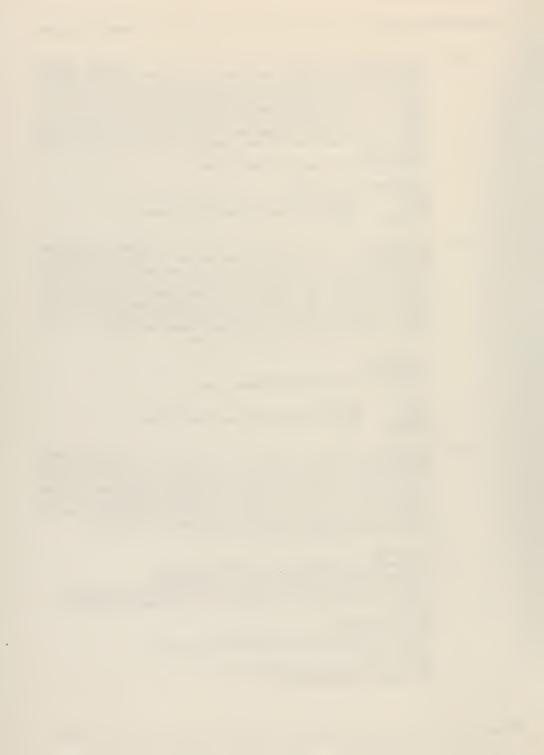
- There were community meetings and only two people attended.
- There was one letter received by a management company related to health concerns.
- Studies were done to determine the levels of radiation to the various residents and companies.

# (-) Did not state name

- There are antennas being installed all over the City.
- There is no master plan for where installations of antennas will be.

### (-) Anita Morse

- She lives half a block from the installation site.
- Her concerns are with health issues.



- Since many people are still not clear as to the long-term effects of the antennas, she requests that these antennas not be installed.

# (-) Lois Wise - Property Owner Relations - American Property Exchange

- She works near the site where the antennas will be installed.

- Her company is a marketing company specializing in high-level rental apartments.

- They have a high volume of radio and pager transmission.

- They have a large number of housekeeping staff servicing their properties.
- The company opposes the installation of the antennas because they did not receive sufficient notice as well as long-term health concerns.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16074

# 25. 2000.985C

(CHIN: 558-6897)

1176 SUTTER STREET (AKA, 1214 POLK STREET) - northeast corner at Polk Street; Lot 011 in Assessor's Block 0669. Request for Conditional-Use Authorization to allow amplified live and recorded music (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing bar, d.b.a. An Sibin, as required by Planning Code Section 723.48, in the Polk Street Neighborhood Commercial Zoning District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of December 14, 2000)

# SPEAKER(S):

# (+) Hugh Louis - Owner of An Sibin

- At the time he purchased the bar it was neglected and rundown.
- The first thing he did when he purchased the bar was to shut it down and renovate it. He tried to get rid of the drug dealers and deal with the noise issue.
- A few months ago, he received complaints from neighbors so he decided to soundproof the bar. Since then he has not received any complaints.
- He has about 250 signatures of neighbors and business owners who support the bar.
- He has had inspectors from the police, fire, health, noise abatement, etc. come out to inspect the property. There were some recommendations, which he has put in place.
- The bar is safe and a nice place to come to and listen to music.

### (+) Calvin Crosky

- He frequents the bar. It's a clean and safe place.
- The noise insulation does a good job of reducing noise.

### (+) Chris Lowe

- The neighborhood has many bars, many of which draw negative customers.
- This is not one of those bars.
- The addition of music would be good for the customers and the bar.

# (+) Jonathan Brown

- He frequents the bar.
- This is a very nice place to hang out.

### (+) Jennifer Little

- She enjoys going to the bar and enjoys the people who attends the bar.
- She books DJs and this would be a good place to book the DJs she represents.

### (-) Dan Ling Jan

- There are various signatures of people who are opposed to the bar.
- There aren't loud vibrations and thumping because of the music.
- The music continues after 2:00 a.m.
- She lives on the 2nd floor of the bar. Even the tenants of the third floor complain of the thumping.

# (-) Did not state name

- Spoke in Chinese



- He can't sleep at night because of the noise.

(-) Did not state name

- She would like the noise to end at 11:00 p.m.

ACTION: Approved with Amended Conditions

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16075

26. 2000.044C

(YOUNG: 558-6346)

<u>275 DUBOCE AVENUE</u> - south side between Market and Guerrero Streets; Lots 059, 061, 062 in Assessor's Block 3534. Request for Conditional-Use Authorization pursuant to Planning Code Section 209.1(h) to allow the construction of a two-story over garage, 11-unit residential building. Conditional-Use Authorization is required under Section 209.1(h) to allow the construction of four dwelling units on lots 61 and 62 within the RH-3 Zoning District. The subject lots are within a NC-3 (Moderate-Scale Neighborhood Commercial) District, a RH-3 (Residential, House, Three-Family) District, the Mission Restricted Use Subdistrict, and an 80-B Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

# SPEAKER(S):

# (+) Si Pinto - Project Sponsor

- This is an exciting project because of its uniqueness.

- There has been a lot of work to the development of this project.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fav. Joe. Salinas, Theoharis

**MOTION:** 16076

27. 2000.270C

(BRESSANUTTI: 575-6892)

535-537 VALENCIA STREET - east side between 16th and 17th Streets; Lot 044 in Assessor's Block 3569. Request for Conditional-Use Authorization to (1) allow continued operation of an existing large (over 1,000 square feet) fast food restaurant, presently d.b.a. "Cable Car Pizza," per Section 726.43 of the Planning Code, and (2) to extend the hours of operation from 2:00 a.m. to 3:00 a.m., per Section 726.27, in the Valencia Street Neighborhood Commercial District and a 50-X Height and Bulk District.

Preliminary Recommendation: Approval of Large Fast Food Restaurant use; approval of extended hours on Saturday and Sunday only.

(Continued from Regular Meeting of December 14, 2000)

### SPEAKER(S):

### (+) Russel (Last name unclear)

- The executive summary is very complete.

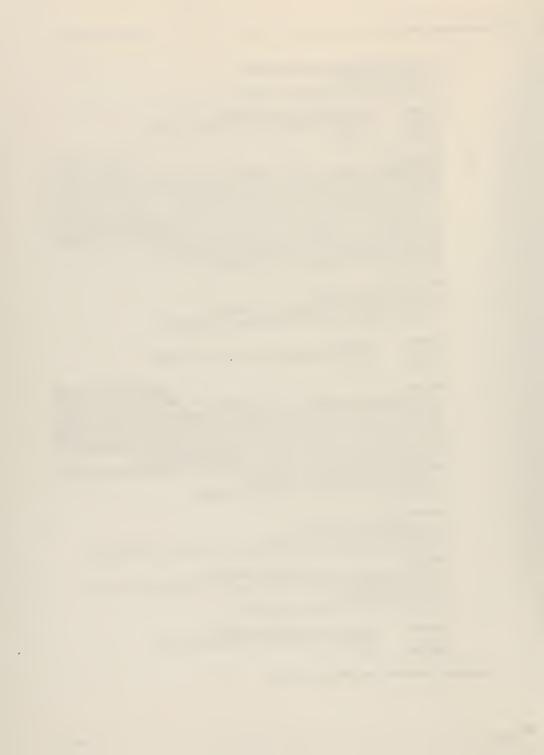
- This project is not a large "take out" restaurant. A lot of the space is taken up by storage.
- There are petitions, which show support for the project.
- The hours of operation would allow people to get a slice of pizza on their way home from the surrounding bars.
- Would like the extended hours to be approved.

ACTION: Approved with amended conditions

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16077

### E. SPECIAL DISCRETIONARY REVIEW HEARING



(FALLAY: 558-6367)

At Approximately **5:25 PM** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

28. 2000.045D (WANG: 558-6335)

1117-1125 OCEAN AVENUE - Lots 041 and 042, in Assessor's Block 6944. Request for Discretionary Review proposing to demolish an existing ground-floor, single-family residence and storefront on Lot 042, demolish an existing storefront and a garage on Lot 041, and construct a new four-story, mixed-use building occupying both lots, in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of December 14, 2000)

SPEAKER(S): None ACTION: Withdrawn

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

29. 2000.046D

2147 29th AVENUE - west side between Quintara and Rivera Streets; Lot 012 in Assessor's Block 2188. Discretionary Review is requested of Building Permit Application No. 9912564S to construct a third floor addition over the existing two-story, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of November 9, 2000)

# (-) Steve Williams - DR Requestor

- He was retained to do a legal analysis of the project.
- The houses in the area are absolutely identical and were constructed at the same time and by the same builder.
- A previous project similar to this one on 22nd Avenue was settled by eliminating the 3rd floor.
- This house is already the largest house on the block with a large lot. If the proposed addition is approved, the house will be twice as large as the neighbors.
- There are no additions on either side of the block.
- The analysis by the planner is not correct.

### (-) Michael Dolan

- He was not informed as to the proceedings.
- The planner never informed him of the proceedings and knew that he was opposed to the project.
- This is a quiet, peaceful neighborhood. This request is totally obnoxious. It will decrease the value of his home.

# (-) Name Not Clear

- He objects to the addition because it will affect the character of the neighborhood.
- He has lived in the neighborhood for many years.
- There is plenty of room in each home for good-sized families to live.

# (-) Cecilia Suarez

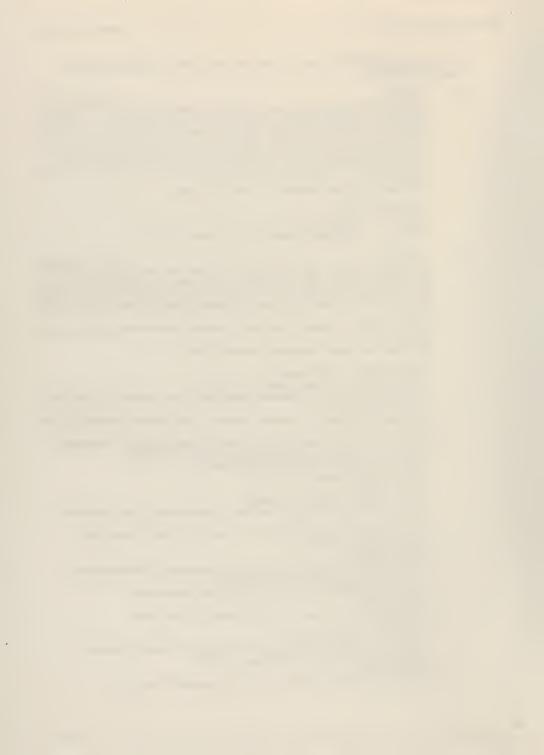
- The addition would be okay in the back of the house but not on top.

# (-) Mark Marowitz

- The houses are completely uniform.
- There is only one property, which is out of character with the rest of the homes.
- It seems unjust for these types of additions to be built.

# (-)Name Not Clear

- Read a letter from Mr. and Mrs. Sullivan who are opposed to this project.



- Several years ago there was a similar proposal proposed on the block and there were consequences to that proposal.
- If the Commissioners lived near the proposed addition, would they approve it?

# (-)Name Not Clear

- He has a similarly constructed house as the one proposed.
- He would not like his light to be blocked.

# (-) Jeff Rogers - DR Requestor

- He submitted over 30 letters and petitions of opposition to this addition.
- The family of the proposed addition is a relatively small family. Their house is one of the largest in the neighborhood.
- They did agree to a low-profile plan in the back but subsequently changed their minds. (-) Cliff Luger
- He has lived in the neighborhood for many years.
- All the houses in the Sunset are similarly constructed, then all of a sudden there is a big box which is a 3rd story house.

### (-) Michael Morise Dolan

- He grew up in the neighborhood.
- He repairs flats and properties in the area where he lives, which is Santiago Street. All the houses in that neighborhood have similarly constructed homes and have kept it that way.
- The proposed addition falls out of the character of the neighborhood.

### (+) John Jay - Project Sponsor

- This addition complies with all the rules of the Planning Code.
- Mr. Euwing has "bent over backwards" to meet the issues of the neighborhood. He has gone to each of the neighbors to deal with their issues.
- There are some objections including, the addition is out of character to the neighborhood; privacy; etc.

### (+) Amon Euwing

- He has a large family and his family is still growing. There is a legal in-law apartment but he still needs more space.
- He has spoken to all the neighbors and has tried to be sensitive to their needs.

# (+) Darolyn Gin

- Her parents bought the house in 1968.
- When Mr. Euwing told them about the extension, they agreed to it because they also come from a large family and can understand.

### (+) Lee Rosenthal

- She has no objections to the plans to his house.
- Homeowners should be able to do to their property depending upon their needs.
- She would like for this project to be approved.

### (+) Michael Klestoff

- He lives and works in the neighborhood.
- Mr. Euwing has done more than what the guidelines require.
- If the homes were supposed to be kept the same way all the time, the area would have been a planned development and restrictions would have been imposed.

**ACTION:** Take DR on a vertical expansion but consider a horizontal expansion.

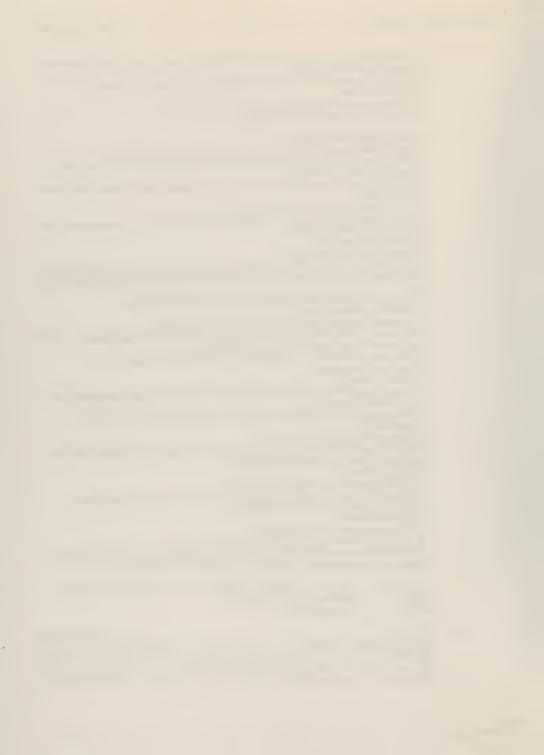
AYES: Baltimore, Fav. Joe, Theoharis

NAYES: Chinchilla, Salinas

### 30. 2000.041D

(S. SNYDER: 558-6543)

764 ELLSWORTH STREET - on the west side of Ellsworth Street, south of the intersection of Ellsworth Street and Crescent Avenue, on Lot 16 of Assessor's Block 5812, proposing to construct a new single-family dwelling on a vacant lot in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District, and



within the Bernal Heights South Slope Study Area (Planning Commission Resolution 14973).

Preliminary recommendation: Do not take Discretionary Review and approve the project as submitted.

# SPEAKER(S):

# (-) Randy Graham

- He lives in the neighborhood.
- The South Bernal Action Alliance supports the construction.
- His only concern is that since this is a narrow street, the construction might cause a problem with traffic and the MUNI 27 bus line.

**ACTION:** Do not take Discretionary Review and approve project as submitted.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

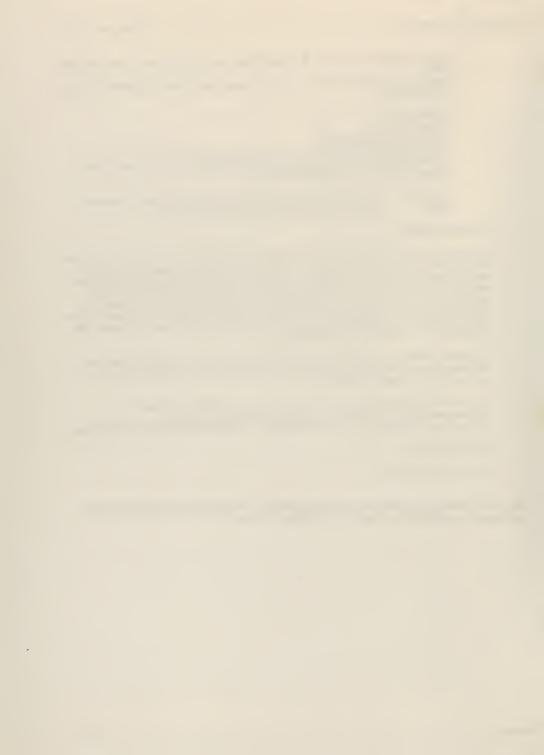
The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S): None

Adjournment; 6:27 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 1, 2001.



C55 \*10 1/16/01

# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, January 18, 2001

1:30 PM

DOCUMENTS DEPT.

**Regular Meeting** 

FEB 1 6 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Mills, Salinas

ABSENT: Theohar

NOTE: The Commission voted to have Commissioner Chinchilla act as Chairperson for today's hearing.

THE MEETING WAS CALLED TO ORDER BY COMMISSIONER CHINCHILLA AT 1:40 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner- Zoning Administrator; Andrea Wong; Thomas Wang; Nora Priego - Transcription Secretary; Isolde Wilson – Acting Commission Secretary

### A. ITEMS PROPOSED FOR CONTINUANCE

1. Election of Officers

(Proposed for Continuance to January 25, 2001)

SPEAKER(S): None

PEAREN(S). Noise

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

2000.1049DDD (WONG: 558-6381)
 <u>85 SYCAMORE STREET</u> - Request for Discretionary Review for 85 Sycamore Street, Lot
 <u>045 in Assessor's Block 3576</u>, on Building Permit Application No. 2000.06.20.2307S - a
 proposal for the construction of a new 3-unit building in a RH-3 zoning and 50-X
 height/bulk zoning district. The proposal is to remove the two existing, one-story



structures (one two-unit building and one one-unit building) and to construct a new threeunit building with three legally independent parking spaces, accessed from Sycamore Street in a RH-3 zoning and 50-X height/bulk zoning district.

Preliminary Recommendation: Pending

(Proposed for Continuance to January 25, 2001)

SPEAKER(S): None

ACTION: Continued to January 25, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

#### 3. 1999.770DDDDD

(WANG: 558-6335)

567 - 569 SANCHEZ STREET, east side between 19th and Hancock Streets; Lot 032 in Assessor's Block 3585. The proposal is to demolish an existing single-family dwelling with a detached garage and construct a new three-story plus attic over garage, two-family dwelling, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to February 1, 2001)

NOTE:

Placed in Calendar in Error. No Action Required.

4. 2000 654D (YOUNG: 558-6346)

412 LOMBARD STREET, north side between Grant Avenue and Stockton Street, Lot 010 in Assessor's Block 0062 -- Request for Discretionary Review of Building Permit Application No. 2000/03/03/3468 to construct a two-story vertical addition to an existing one-story over basement single-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of December 7, 200) s

(Proposed for Continuance to February 1, 2001)

#### SPEAKER(S):

#### (-) Chuck Thomas

- He requests that this case be continued to February 15, 2001.
- The project sponsor did not provide the plans necessary for him to be prepared for this
- The poster did not state a change of the hearing date.

# (+) Amad Mohazed

- He is the project architect for this project.
- He would like for this hearing to be heard as soon as possible.
- He does not oppose a continuance for this item.

ACTION:

Continued to February 8, 2001

Baltimore, Chinchilla, Fay, Joe, Salinas AYES:

ABSENT: **Theoharis** 

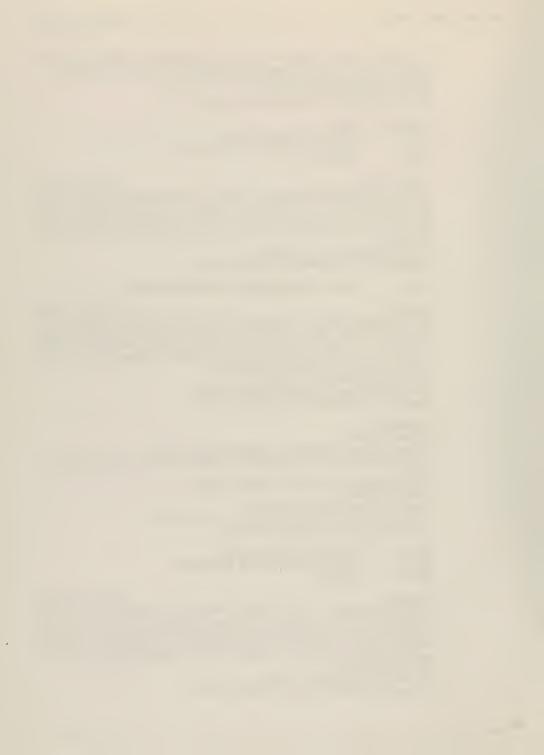
2000.877D 5.

(NIKITAS: 558-6306)

240 - 16TH AVENUE - north side between California and Clement Streets, Lot 037 in Assessor's Block 1418. Request for Discretionary Review for Building Permit Application No.2000/07/25/6060. The proposal would add a four-story extension to the rear of the existing single family dwelling, and would reconfigure the building interior to create a second dwelling unit in an RH-2 (Residential, House, Two-Family) Dwelling and a 40-X Height and Bulk District.

Preliminary Recommendation: pending.

(Continued from Regular Meeting of December 7, 2000)



# (Proposed for Continuance to February 8, 2001)

SPEAKER(S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

6. 2000.677C

(CHIN: 575-6897)

373 BROADWAY STREET - southeast corner of Broadway Street and Bartol Street; Lot 018 in Assessor's Block 0164: -- Request for Conditional Use authorization pursuant to Section 714.83 of the Planning Code to install a total of twelve antennas and a base transceiver station on an existing four-story over basement building, as part of AT&T's wireless cellular network in the Broadway (Neighborhood Commercial) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of January 11, 2001) (Proposed for Continuance to February 8, 2001)

SPEAKER(S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

7. 2000.1026C

(WOODS: 558-6315)

4314 CALIFORNIA STREET - north side, between Fifth and Sixth Avenues, Lot 14 in Assessor's Block 1365 -- Request for Conditional Use Authorization under Sections 303 and 710.27 of the Planning Code to extend the bar hours of an existing bar and restaurant establishment (the V Pub Bar and Grill) from 11:00 p.m. to 2:00 a.m. in an NC-1 (Neighborhood Commercial Cluster District) Zoning District and 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to February 22, 2001)

SPEAKER(S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

8. 2000.739E

(BLOMGREN: 558-5979)

298 SHIPLEY STREET - northeast corner of Shipley and Sixth Street, Assessor's Block 3753, Lots 122 -- Appeal of a Preliminary Negative Declaration. Proposed construction of a three-story building containing a total of 32 live/work units and 32 off-street parking spaces. The site currently has a vacant one-story auto sales building, which would be demolished. The new building would reach a maximum height of 45 feet in a 40-X height/bulk district. The site is with a South of Market RSD (Residential/Service) Mixed Use District, an MUHZ (Mixed Use Housing Zone) interim zoning district, and a 40-X Height and Bulk District.

Preliminary Recommendation: Uphold Preliminary Recommendation

(Proposed for Continuance to March 8, 2001)

SPEAKER(S): None

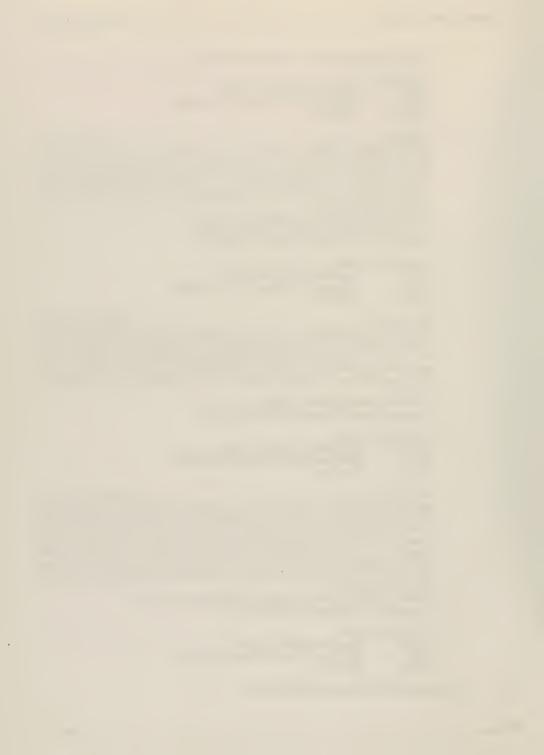
ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

Page 3



9. Consideration of Adoption - draft minutes of December 7 and 14, 2000

ACTION:

Approved with correction advised by Commissioner Joe.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT:

Theoharis

10. Proposed adoption of Planning Commission hearing schedule for 2001

SPEAKER(S): None

ACTION:

Approved as amended

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theobaris

Commission Matters

None

#### C. DIRECTOR'S REPORT

12. Director's Announcements

None

Review of Past Week's Events at the Board of Supervisors and Board of Appeals
 BOA None

#### BOS

Re: Live/Work to Loft Housing Legislation

- The Board considered legislation by Supervisors' Daly, Amiano and Maxwell that would establish a 6-month moratorium on the consideration of live/work units. A companion piece would prohibit any action on these applications and would create a retroactive period of 60 days. Any applications that were before the Commission that have not been approved cannot be approved within that period of time.
- This legislation was just referred to the Department yesterday (1/17/01).
- This legislation affects item 16 on today's calendar.
- He would like to have the Commission consider continuing item 16 to allow the director and the Zoning Administrator to consider this legislation.

#### D. REGULAR CALENDAR

14. (WILSON: 558-6602)

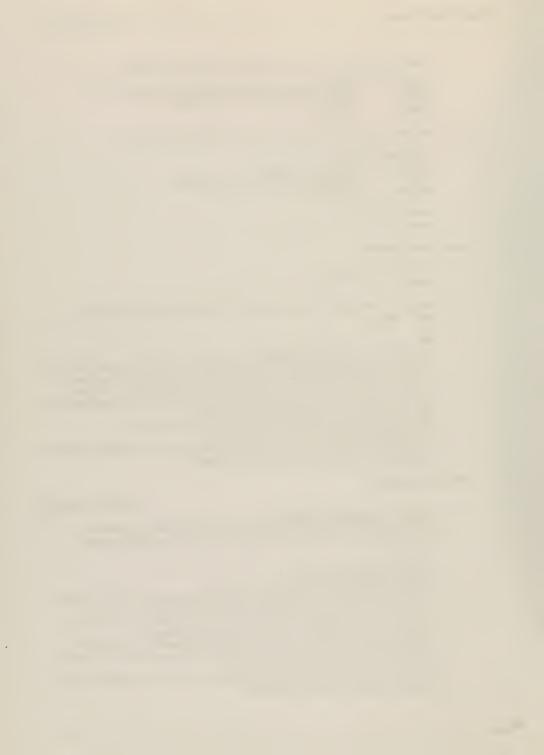
# DWELLING UNIT MERGER POLICY

Policy discussion on the removal of dwelling units. Consider adopting criteria for Discretionary Review of building permit applications to remove a legal dwelling unit.

#### SPEAKER(S):

# (-) Dean and Catherine Akazawa

- They purchased a property on Bush Street last year.
- They would like for the Commissioners not to penalize projects that are in the pipeline.
- Their project would allow for a family of six to live as one family by merging units.
- They have spent considerable time and resources to merge the units. They are not doing this for business purposes. They have not displaced anyone.
- They were supposed to have started their project in September. Their contractor advised them that the project would last about 3 months but because of this new policy, they haven't been able to even start their project.
- His wife is expecting twins and this is causing a lot of hardship and stress to their lives.
- (-) Susanne Beilicke Sanger and Olson



- They have not had an opportunity to review the criteria.
- She would like to request that this matter is continued for two weeks to allow for through revision of the criteria and allow for a presentation.

# (-) Jeremy Paul

- He represents small property owners.
- He would like to alert this Commission of the consequences if this policy is approved.
- The courts, City Attorney and BOA are clear that they will not prevent Ellis Acted properties from being merged.
- There will be a substantial loss of housing because of this kind of action.
- Please consider a way to avoid the loss of housing.

# (-) Randy Shaw - Director of the Tenderloin Housing Clinic

- Housing is lost with mergers.
- Homes should remain with the original configuration.
- There is a scarcity of rental housing.

# (-) Kim Stryker

- She is one of two-co chairs of
- She is amazed at the amount of interference the City puts for homeowners.
- They supply 1/3 of the City's rental housing.
- They end of taking their units off the market because of all the policies that need to be adhered to.
- Homeowners should be able to use their homes for growing families.
- Homeowners would like to merge illegal units in order to make them legal.
- It's not of the City's business how much these rental units are.
- She would like the Commission to reevaluate the policy and not put so many burdens on property owners.

# (-) Courtney Clarkson

- She purchased a 2-unit building recently which was originally a 1 unit home and her intention was to make as it was before.
- It seems like the Commission is making it difficult for a small amount of people to merge rental housing.
- At the corner of Fillmore and Lombard there was a gas station, a 1-story building was constructed there. Enormous volume spaces are being built as lofts instead of rental housing units.

# (-) Andrew Zaks

- He is an attorney for small property owners.
- There will be unintended affects that this policy will produce.
- There will be more Ellic Act cases.
- He would like the Commission to reconsider this policy.
- He believes that this policy is a bad policy.

#### (-) J.B. Alijani

- He is a small property owner.
- This policy gives the reason to not add rental units in a house.
- He agrees with the previous speaker that homeowners Ellis Acts units.
- It will be bad for San Francisco to have all these Ellis Act buildings.
- Ways should be looked for so people can have rental housing.

#### (-) Will Spritzma

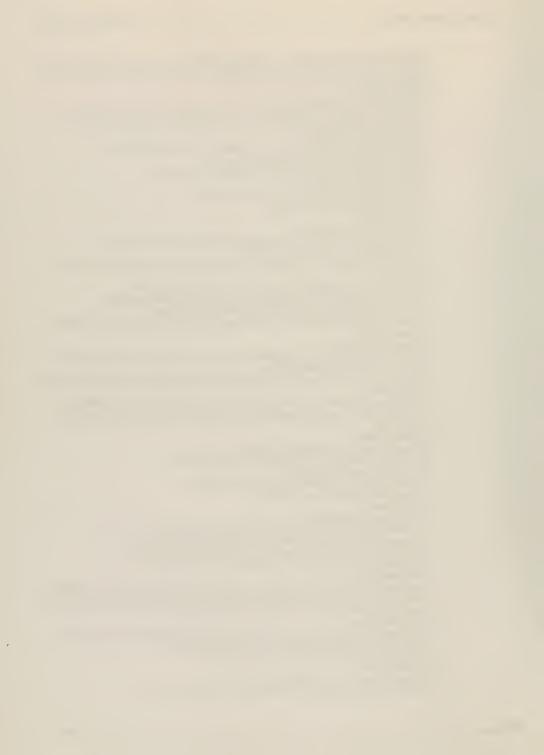
- He is upset that he has to take time out of his life to come here and protect his property.
- If these types of policies are going to be implemented, properties who were started from a certain date should not qualify for Discretionary Review.

#### (-) Joe O'Donahue

- He sympathizes with families who want to merge units because their family is growing.
- This policy should be addressed at the Board of Supervisors.
- This Commission should not try to solve this problem.

#### (-) Robin Levit

- He owns property just a few blocks from here.
- He purchased the property with the intention of merging the units.



- His parents are very old and they saw this as providing housing for them.
- People, who have bought these buildings, purchased them with the idea of merging the
- Small property owners should not be penalized.

#### (-) Andy Esparza

- He owns property. He purchased the property after renting it for a few years.
- These types of regulations are causing him to get education on how these policies work.
- He will find out what the Ellis Act means to him and what the implications are.
- He has tenants that have lived in the property for many years. He won't hesitate to Ellis Act the tenants he has currently.

#### (-) Lou Lecnito

- This is terrible to have such hard restrictions on small people that can help their

# (-) Brett Gladstone

- He is an attorney. He has had a number of calls from homeowners so he can represent
- The costs for people to go through a Discretionary Review is quite high.
- People get nervous and have a hard time speaking before the Commission.
- He would like the Commission to consider this policy.

#### (-) Craig Lipton

- He is a small property owner.
- He is affected by this policy.
- He understands that there is a housing crisis map.

#### (-) Linda Allen

- She is a small property owner.
- She is confused and uncertain to question the intelligence of this policy or the sincerity of the Commissioners.
- This new rule will cause more Ellis Acts and not apply to the Commission at all. There will be more illegal units created.

#### (-) John Bardis

- The people who have spoken today have all mentioned that there is a housing crisis.
- The existing housing stock is the more affordable housing stock in the City.
- What is the better solution? Maybe the City has not been clear in the way the City has developed this policy.
- This is something that should be followed up by the Board.
- A clear solution, in ordinance form, should be established.
- People, who purchased prior to adoption of first policy, should receive priority to go before the Commission.
- Staff should provide help to property owners to fill out forms, get information, etc.

ACTION:

Approved with modifications. Staff to report on January 25, 2001 on the status of DR's, which are in the pipeline for dwelling unit mergers. A special hearing would probably be scheduled just for these types of cases in order to expedite these cases.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas

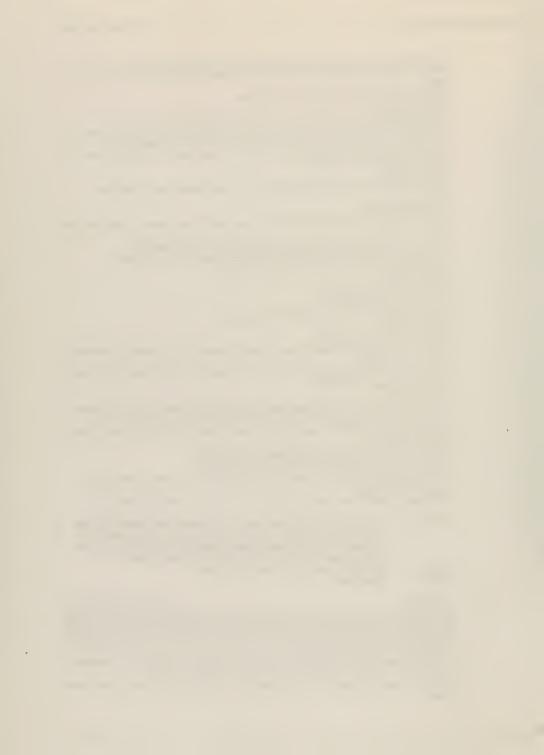
ABSENT:

**Theoharis** 

15. 1999.346TZ

(MALTZER: 558-6391) ADOPTION OF NEW POLICIES REGARDING OFFICE USE AND CONVERSION OF LIVE/WORK (LOFT HOUSING) WITHIN INTERIM INDUSTRIAL PROTECTION ZONES AND MIXED USE HOUSING ZONES - Consideration of adopting new policies to discourage office development and to further discourage the conversion of live/work to office within the Interim Controls boundary area. These new policies are to supplement existing policies previously adopted August 5, 1999 (CPC Res. 14861).

Preliminary Recommendation: Adopt Resolution creating new policies within Interim Zones



(Continued from Regular Meeting of December 14, 2000)

#### SPEAKER(S):

#### (-) Art Evans

- He showed a map of a property on King and Berry Streets (AKA 601 King Street).
- In 1998 they were approved to build these housing units.
- They have spent millions of dollars on this project.
- Had there not been this backup of these allocations, they would have received an allocation.
- Their project would have received a permit before December 31, 2000.
- There is no opposition to this project.

#### (-) Arthur Chan

- He is the owner of properties of 7th and King Streets.
- They bought a warehouse about 30 years ago to provide for their import/export business.
- The property is set for retirement since it's in poor physical condition.
- It is not good economic sense to renovate the property.
- Although they might relocate to another part of the Bay Area since their business requires it be located on a pier.
- E.F. Evans has agreed to purchase the site.
- He has been a loyal businessman of San Francisco and it's not fare that this decision will have a tremendous impact on him.

# (-) Steve Vettel

- This is a rather unusual case.
- The EIR of this project was certified in August. The project sponsor was not able to develop this property because the office allocation had run out so they had to wait for this year in order to qualify.
- He submitted a paragraph, which he would like to have the Commission consider as an amendment.
- He would like cases to be considered which were ready to be considered by the Commission before the policy was enacted.

#### (-) Robert Meyers

- He is an architect and a city-planning consultant.
- He would like to place an operative date of November 7 so projects before this date should be exempt.

#### (-) Joe O'Donahue

- There are cases, which should be exempt of this policy.
- Many cases have been at the Planning Department for many years.
- If an exemption is made, the Commission will not set a precedent.
- He agrees with the Director of the Planning Department on this policy.

#### (-) Sue Hestor

- This approval of this policy is ridiculous based on the history of the department.
- There have been huge controversies on Industrial Zones.
- The Department is discouraging offices in the Mixed Use Housing Zones.
- The language of Potrero Hill was totally eliminated.
- She does not think that this is such a great thing.

ACTION: Approve project with the exception of the Evans Project.

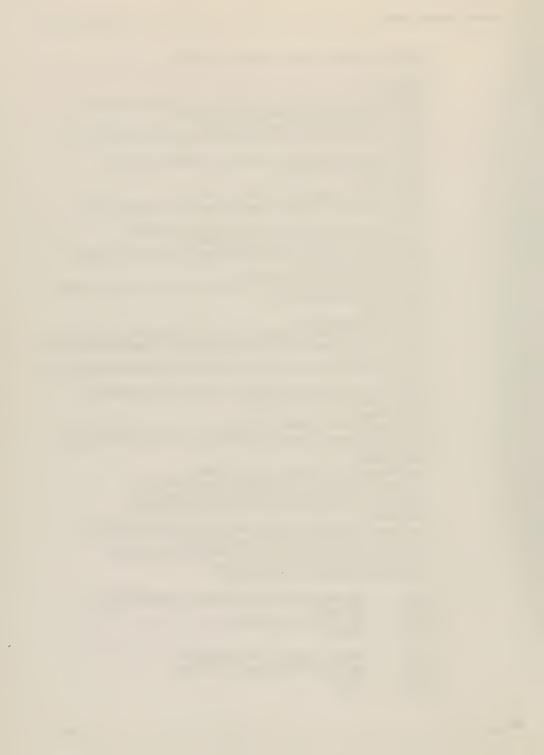
AYES: Baltimore

NAYES: Chinchilla, Joe, Fay, Salinas

ABSENT: Theoharis

ACTION: Approved as per staff recommendation AYES: Baltimore, Chinchilla, Joe, Fay, Salinas

ABSENT: Thoharis MOTION: 16079



16. 2000,1007T

(LORD: 558-6311)

LIVE-WORK TO LOFT HOUSING AMENDMENT - Consideration of adoption of amendments to Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) by amending Sections 102.7 and 102.13 redefining "live/work" units as "loft housing" and classifying them as residential uses; repealing Section 233 regarding live/work; adding Section 232 to establish requirements for loft housing that would subject it to some existing live/work controls except that there would be no restriction on the nature of work which could be performed in the unit so long as the use is permitted in the SSO (Service/Secondary Office) Zoning District and no requirement that the occupant(s) work in the unit, would require loft housing to comply with existing inclusionary housing policies, would require loft housing in residential areas to comply with all requirements for residential uses including the residential design guidelines, would require loft housing constructed in areas not zoned residential to comply with non-residential design guidelines and all requirements for residential uses except for front setback and open space requirements, would establish procedures for converting live/work units to nonresidential uses, and would establish loft housing, rear yard exposure requirements. This ordinance supersedes any inconsistent Planning Commission policies.

Preliminary Recommendation: Adopt the Draft Ordinance (Continued from Regular Meeting of January 11, 2001)

Item taken out of order. Followed item 13.

SPEAKER(S):

Joe O'Donahue

- He would suggest that item 15 be looked at also and considered to be continued as well since both items are related.

ACTION: Continued Indefinitely

AYES: Baltimore, Chinchilla, Fay, Salinas

NAYES: Joe

17a. 2000.265CV

(WONG: 558-6381)

2940 FOLSOM STREET - west side, between 25th and 26th Streets; Lot 008 in Assessor's block 6525: Request for Conditional Use Authorization for a Community Facility (kitchen incubator program) in a RH-2 (Residential, House, Two-Family) Zoning District, under Planning Code Section 209.4 (a), and for the creation of three new dwelling units at a density not to exceed 1 unit per 1,500 square feet of lot area in a RH-2 Zoning District, under Planning Code Section 209.1 (g). The subject property also falls within a 40-X Height/Bulk District. The proposal is to renovate the existing commercial property into a kitchen incubator program, run by the Women's Initiative for Self-Employment. This 4,270 gross square foot community facility will run programs to assist participants with starting and operating catering/food production micro enterprise businesses. Three new dwelling units are proposed for construction at the rear of the property. Each new unit will provide a required parking space, accessed from Horace Street.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

# (+) Jane Seagal - Project Sponsor

- She purchased this property about a year and a half ago.
- This project would help women begin their own catering business.
- She is not motivated solely by profit.
- She would like to have the Commission consider approving this project.
- (+) Barbara Johnson Co-Founder and Executive Director of the Womens Initiative for Self-Employment.
- Womens Initiative will lease the commercial kitchen space from Jane Seagal.



- This project is referred to as MIKI (Mission Kitchen) and will help low-income women receive self-employment, industry-specific training and be able to start their own businesses.
- In 1990, Womens Initiative started ALAS (Alternativas para Latinas en Autosuficiencia).

# (+) Paula Artager - Project Architect

- They have met with neighbors and neighborhood groups regarding this project.
- Displayed a model of the proposed project.

#### (+) Elizabeth Milos

- She works with ALAS.
- She has two clients who are in support of the project and live near the project site.

#### (+) Etelina Sanchez

- Spoke in Spanish
- She is a member of ALAS.
- Submitted a translation of her statement to the Commissioners.

# (+) Guadalupe Avila

- Spoke in Spanish
- She is also a member of ALAS.
- She believes that this is a very important project for the community.
- She has tried many times to establish her own catering business but has not had the opportunity to do so.
- This site is perfect because it's close to her family.
- Submitted a translation of her statement to the Commissioners.

# (+) Patty Chan

- President of the Women's Foundation
- The Women's Foundation has provided funds of various projects in the Mission District.
- This project will provide a great opportunity for women of Latino descent to be able to start their own businesses.
- She urges the Commission to approve this project.

# (+) Julie Dorff

- She has lived in the Mission District for many years.
- Her main point is that the neighborhood is healthier and safer.
- She would be proud to have the incubator project on her block.
- This is a great opportunity for Latino women to start their own business and survive in this economy.
- She agrees to have this project in her back yard.

#### (+) Wilma Espinoza - Board Member of Womens Initiative

- She has participated in the ALAS project since it's initiation.
- This is such a wonderful project for providing economic opportunities for Latino Women.

# (-) Luisa Bradley

- The area is a residential area and she would like to keep it that way.
- Although the idea is a good one, it should be constructed in another place.

# (-) Agustin Acedo

- This is the first time he speaks in public so he is a little nervous.
- This area is not good for a project, which involves cooking.
- This area could be done in any other place.

# (+) Brett Gladstone

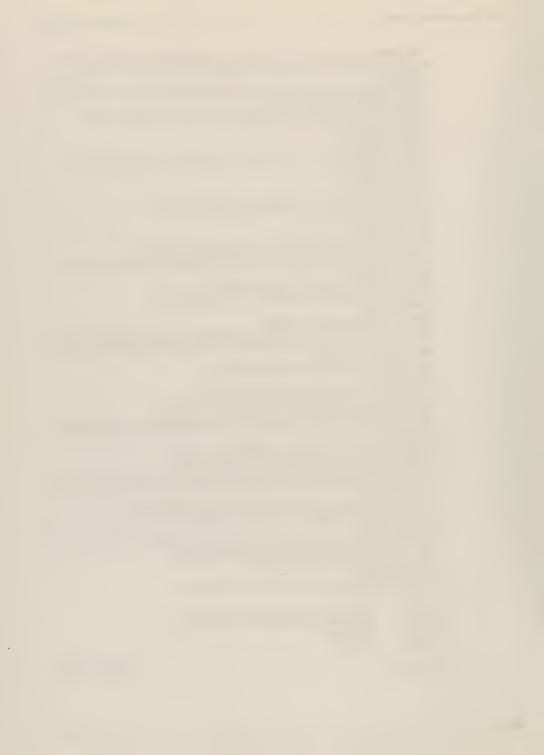
- He won't speak unless the Commission has any questions.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis MOTION: 16080

17b. 2000.265CV (WONG: 558-6381)



2940 FOLSOM STREET - west side, between 25th and 26th Streets; Lot 008 in Assessor's block 6525: Request for a rear yard variance to construct three new dwelling units in the required rear yard, under Planning Code Section 134 (a) (2).

SPEAKER(S): See Item 17a.

ACTION: Variance taken under advisement by Zoning Administrator

18. 1997.433A

(KOMETANI: 558-6478)

<u>22 ALTA STREET</u> - north side between Montgomery and Sansome Streets. Lot 34A in Assessor's Block 106 -- Request for Certificate of Appropriateness authorization, under Article 10 of the Planning Code, to construct a new, one-unit, residential building, two-stories at the front (Alta Street) elevation and five-stories at the rear in the Telegraph Hill Historic District. The subject property is zoned RH-3 (House, Three-Family) District and is in a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of November 16, 2000)

ACTION:

Continued to February 8, 2001

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

# E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **5:00** PM the Planning Commission will convene into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters. Procedures governing Special DR Hearings are as follow: DR Requestor(s) are provided with up to five (5) minutes for a presentation and those in support of the DR Requestor(s) are provided with up to three (3) minutes each. The Project Sponsor is then provided with up to five (5) minutes for a presentation and those in support of the project are provided with up to three (3) minutes each. At the conclusion, each side (not each person) is provided with 2 minutes for a rebuttal. Those cases that are scheduled on this calendar prior to 5:00 PM, but have not been called or heard by 5:00 PM, could be continued to a later time or date as determined by the Commission.

19. 2000.923DD

(WANG: 558-6335)

575 VALLEY STREET - south side between Castro and Diamond Streets; Lot 019 in Assessor's Block 7536. The proposal is to demolish an existing single-family dwelling and construct a new two-story over garage and basement, single-family dwelling, in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

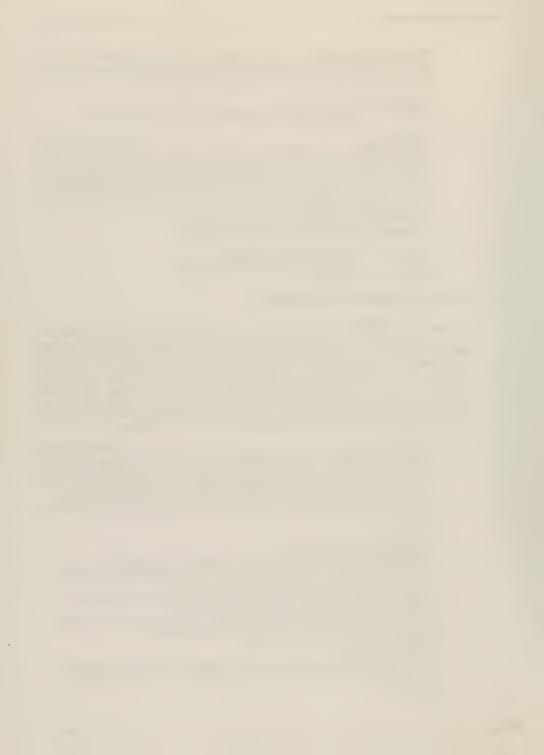
# SPEAKER(S):

#### (-) Allan Kessler - DR Requestor

- The proposed structure is larger than the other homes in the neighborhood.
- The design of the structure makes it appealing yet it is too large for this neighborhood.
- He showed a diagram of the homes, which have a rear deck.
- He has lived in this neighborhood for many years and has seen the neighborhood change throughout the years, yet this house is just too large.
- The DR requestors spent time with the developers. The revisions made to the original plans are merely cosmetic and not related to the bulk of the house.
- Showed an image of a shadow study made.

# (-) Richard Peterson

- The proposed project is totally out-of-scale in comparison to the rest of the houses.
- This house will have 6 bathrooms, where the rest of the houses in the neighborhood only have one.



- Revisions made to the plans are only cosmetic.
- An area in the house where a bar is planned could easily be converted into a kitchen. There are other areas of the house, which could easily be converted to other things; therefore, the property could be converted into an apartment building.
- The height of this house will impact the public open space.
- This is the perfect example of a mega mansion.

# (-) Richard Estes Richardson

- He is one of a few people who object to this project.
- He lives down the hill of the proposed project.
- He has lived there for about 30 years
- This project will change the character of the neighborhood.
- The height of the house will be intrusive.
- He supports the design review.
- He would have liked to have more neighbors receive notification of this project.

# (-) Harvey Rudman

- He lives in the neighborhood.
- He feels that the developers have address some of his concerns.
- The building will create a wall, which will run across most of the property.
- There was no attempt to contact homeowners regarding this project.
- The homeowners and not the developers requested the meetings that were set up.

# (+) Brett Gladstone

- There were a total of 5 meetings with the neighbors. Two were formal and 3 were informal.
- Most of the cut backs were on the side of the project.
- Bay windows were removed
- Many people are coming to him because they can't seem to find a house that is large enough for growing families.

# (+) Steve Antenaros - Project Architect

- December 21 (Winter Solstice) would be the worst-case scenario which is when the sun is at its lowest therefore shadows at anytime during the day are the worst that it would be during any other day of the year.
- All the revisions of the original plan were taken into consideration in regards to impact to the neighbors.

#### (+) Joe O'Donahue

- Every building this architect has designed has been good to the neighborhood.
- This building does not max out.
- This project should be approved.

ACTION: Do not take DR and approve project as submitted.

AYES: Baltimore, Chinchilla, Fay, Salinas

NAYES: Joe

ABSENT: Theoharis

#### 20. 2000.1029D

(WONG: 558-6381)

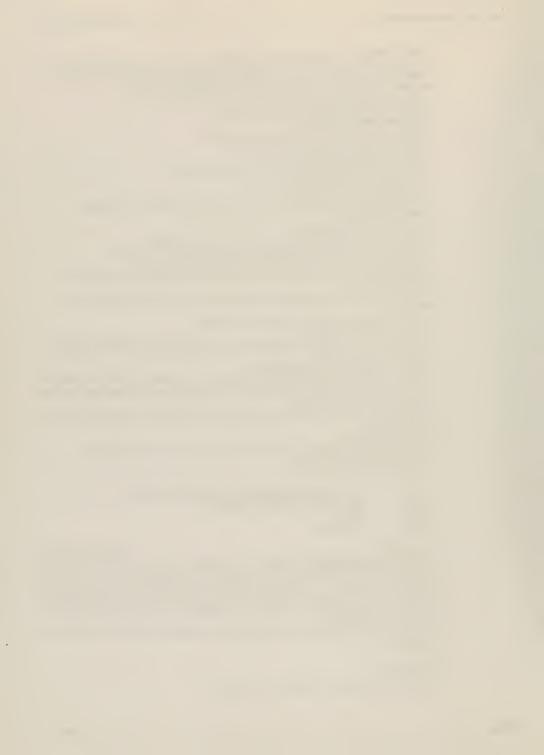
481 ARKANSAS STREET, Request for Discretionary Review for Building Permit Application No. 200003245373 for the property at 481 Arkansas Street, Lot 012A in Assessor's Block 4068. The proposal is to add one dwelling unit to an existing single family, two-story residence by constructing a one floor plus penthouse vertical addition. The subject property falls within a RH-2 (Residential, Two-family) Zoning District and a 40-X Height / Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

# SPEAKER(S):

# (-) Tom Davie

- He lives on the block of the proposed construction.



- He read a timeline of events since September of 2000.
- He objects to the side yard entrance to the proposed lower unit.
- People who will be coming up and down the stairs will be able to look into his kitchen and dining room.
- Even if the stairs were enclosed, the design would just not fit in that space.
- Most of the new houses on this street are two-stories over garage.
- He does not feel that he is incorrect in quoting something that Mr. De La Cruz sent to him.

#### (-) Craig Forrestor

- He has lived in Potrero Hill since 1989.
- He has objections about this project: this will cause a negative affect on the look of the neighborhood; the construction is too large for the neighborhood; the structure will impact sunlight; privacy of adjacent neighbors.
- He strongly believes in wanting to keep the look of the neighborhood.
- The conversion of two units will be a loss of dwelling for San Francisco.
- Because of the fact that the new construction is about double compared to the other houses, it will impact the sunlight to these houses.

#### (-) Heather Fitzgibons

- This project will not add any positive value to the other homes in this neighborhood.
- This large structure will change the feeling of the neighborhood.
- She works at home and spends a lot of time there; this construction will invade her privacy and block the sunlight coming into her home.

# (-) Alain Demour

- He lives in the neighborhood.
- He purchased his property there because of the look of the neighborhood.
- The construction will invade his privacy.

# (+) Phil De la Cruz

- He owns the property with his son.
- Staff has requested that this project be modified.
- Since November of 2000, he hasn't been able to come before the Commission because of family emergencies.
- The construction would add value to the other properties.
- Displaced a diagram comparing the height of the adjacent homes.

ACTION: Take DR and approve project with modifications proposed by staff.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

#### 21. 2000.1118DDDD

(NIKITAS: 558-6306)

33 WALNUT STREET, between Pacific Avenue and Jackson Streets, Lot 002 in Assessor's Block 0972, Request for Discretionary Review of Building Permit Application No. 2000/05/01/9654, proposing to demolish existing rear deck and bay window, and to add a rear extension 19'-10" deep at the first floor and crawl space level below and extending 15'-10" deep at the second-story with a roof deck above and a new attic level dormer at the front of the house, in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve project as submitted

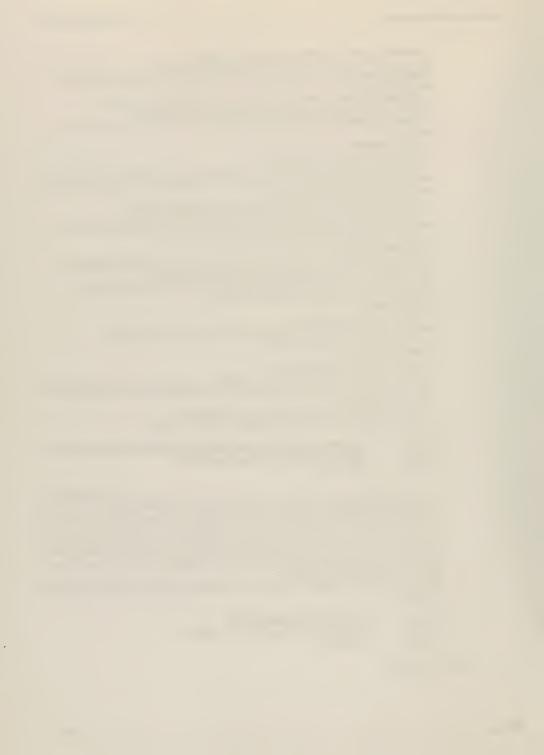
Submitted

ACTION: Continued to February 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

ABSENT: Theoharis

#### F. PUBLIC COMMENT



At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

#### Abdalla Megahed

Re: Homelessness and a new San Francisco Flea Market

- He is of American-Egyptian descent.
- He has spent various years as a human rights activist.
- He has become the strongest advocate of the homeless.
- He is thankful to President Clinton for giving this City 1 billion dollars to help the homeless.
- His plan is to start a flea market where people would pay \$25.00 for a space; therefore, he would be able to raise money for the homeless.

Adjournment: 6:18 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 1,2001.



1/25/01

# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, January 25, 2001

1:30 PM

DOCUMENTS DEPT.

**Regular Meeting** 

FEB 1 6 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:38 p.m.

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner- Zoning Administrator; Mary Woods; Kelley LeBlanc; Thomas Wang; Andrea Wong; Tim Woloshyn; Blake Washington; Nora Priego - Transcription Secretary; Andrea Green – Acting Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1a. 2000.552X

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722 -- Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the Separation of Towers requirement (Section 132.1(c)) and an exception to the Reduction of Ground Level Wind Current requirement (Section 148 (a)). The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District. (Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis



ABSENT: Chinchilla

1b. 2000.552B

2000.552B

199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722 -- Request under Planning Code Sections 320-325 (Office Development Limitation Program) for a 15-story, 150-foot tall building with up to 48,520 gross square feet of office space, approximately 100 dwelling units, 4,800 square feet of retail space, and 70 parking spaces, to be located on the site of an existing commercial surface parking lot. Pursuant to Planning Code Section 313, the Department has determined that the project would result in the net addition of approximately 48,520 square feet of gross floor area office use, requiring compliance with the Office of Affordable Housing Production Program. The proposed project lies within a C-3-O(SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

(Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

1c. 2000.552C

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722 -- Request for a Conditional-Use authorization to allow non-accessory parking. The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces, to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O(SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

(Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

1d. 2000.552V

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722 -- Request under Planning Code Section 140 for a Variance for dwelling unit exposure. The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces, to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

(Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 8, 2001

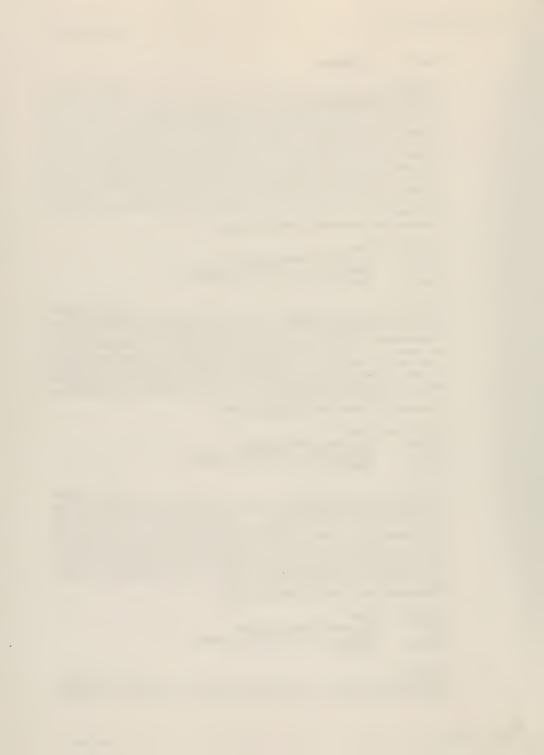
AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

2a. 2000.863<u>B</u>V

(WONG: 558-6381)

<u>2712 MISSION STREET</u> - The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code



Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831 gross-square-foot building into a 30,847 gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of December 12, 2000) (Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 15, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

2b. 2000.863BV

(WONG: 558-6381)

<u>2712 MISSION STREET</u> - The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District. (Continued from Regular Meeting of December 12, 2000)

(Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 15, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABESENT: Chinchilla

3. 2000.964DDDD

(MEHRA: 558-6257)

250 SEA CLIFF AVENUE, north side, west of 27th Avenue; Lot 1M in Assessor's Block 1307. Request for Discretionary Review of Building Permit Application No. 200006213244 proposing to construct a one-story addition -- 391 square feet in size -- on the second floor on an existing deck adjacent to the master bedroom, above the garage on the east side of the property. The addition will accommodate an exercise room and a dressing room and will not encroach into the required rear or side yards. The property is in an RH-1 (D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to February 15, 2001)

SPEAKER (S): None

ACTION: Continued to February 15, 2001

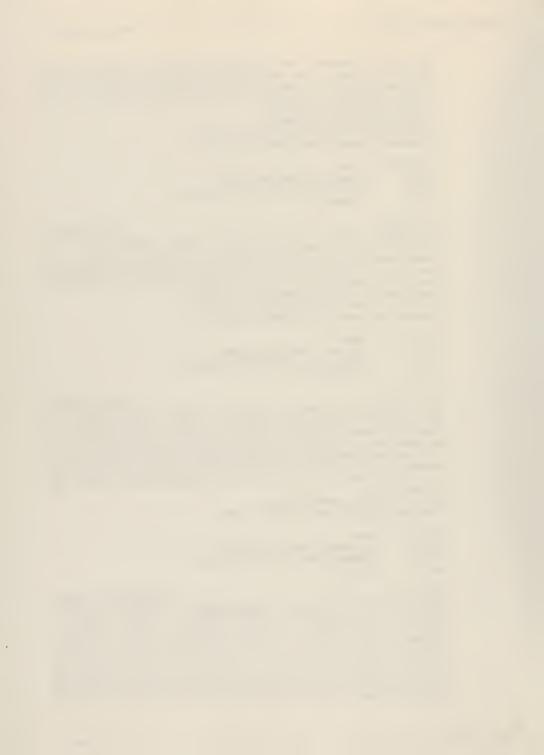
AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

4. 2000.1148C

(BRESSANUTTI: 575-6892)

700-740 LE CONTE AVENUE AND 845 MEADE AVENUE - at Jennings Street, Lots 115 and 116 in Assessor's Block 4991. Consideration of the possible revocation or modification of, or placement of additional conditions on, a prior conditional-use authorization (Case No. 86.229C for a planned unit development for up to 45 dwelling units), per Planning Code Section 303(f). As a condition of the original approval, Lots 133 and 134 were to be donated to the Recreation and Park Department and improved for use as a playground. There have been unresolved complaints from the Recreation and Park Department and the Office of the City Attorney that the owner of these two lots will not transfer title to the parcels to the Recreation and Park Department. The property



is in a RH-1 (Residential, House, One-Family) District and an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Indefinite Continuance)

SPEAKER (S): None

ACTION: Approved for Indefinite Continuance AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

Election of Officers

NOMINATIONS FOR PRESIDENT: Anita Theoharis

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas

NOMINATIONS FOR VICE PRESIDENT: William W. Fay

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

#### Commission Matters

#### Commissioner Theoharis:

- Thanked Andrea Green for her work while she was Acting Commission Secretary.
- The Cow Hollow Neighborhood is trying to institute their own neighborhood guidelines. She would like the department to assist these neighborhoods and interact with neighborhood associations.

#### C. DIRECTOR'S REPORT

- Report on scheduling of Discretionary Review Hearings for dwelling unit removal applications.
  - There are 16 dwelling unit merger cases in the Planning Department.
  - He doesn't suggest that the Commission have a special hearing.
  - Some of the cases are not ready to be heard at the Commission.
  - As soon as they are ready they will be brought before the Commission.
- 8. (ALUMBAUGH: 558-6601)
  Quarterly update on the Better Neighborhoods program, per the Commission's request.

SPEAKER (S): None ACTION: None

(ALUMBAUGH: 558-6601)

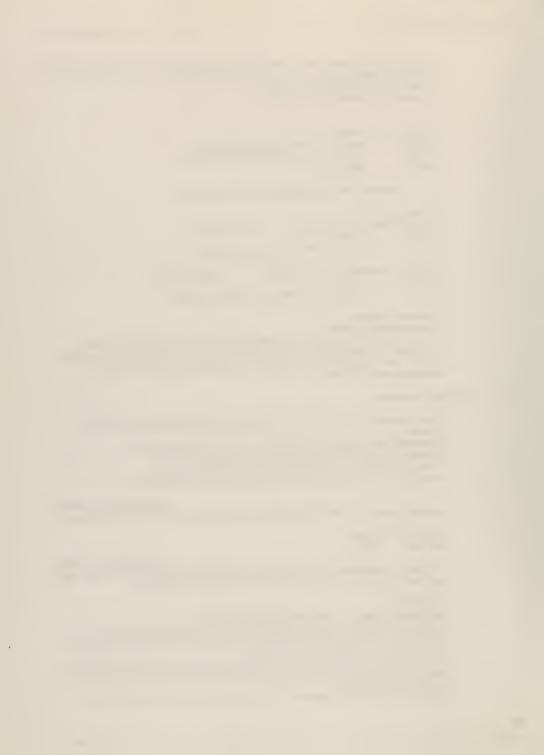
 Program and schedule for community planning and implement efforts for urban design improvements in the neighborhoods along the Third Street Rail corridor.

#### SPEAKER (S):

# Fran Martin - Visitation Valley Neighborhood Alliance

- In February of 1999, Home Depot announced that it would build a mega store in Visitation Valley. The neighborhood decided to create it's own planning department to deal with how this would threat the community.
- The opening of this mega store would affect the neighborhood by creating more traffic and more pollution, the affect on the Third Street Cal Train station as well as the total degradation of the Valley.
- The Third Street Cal Train station would be very important to the neighborhood.

Page 4



- A survey was conducted and various suggestions were made that were of importance to the neighborhood. For example: a town center, housing, daycare, an ESL extension for City College, neighborhood-serving stores, etc.
- She would like to have the Neighborhoods 2002 plan be started.

# Linda McKav

- She lives in Little Hollywood, which is an area that is part of Visitation Valley.
- Visitation Valley is a gateway for tourists to come into San Francisco from the Airport.
- This area is a border between two cities: Brisbane and San Francisco.
- The area has spent 2 years organizing the community.
- These are the reasons why this neighborhood should be included in the Better Neighborhoods 2002.

ACTION: None

10. Director's Announcements

None

11. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOA

None

BOS

None

#### D. REGULAR CALENDAR

12. 1999.217C

(WOODS: 558-6315)

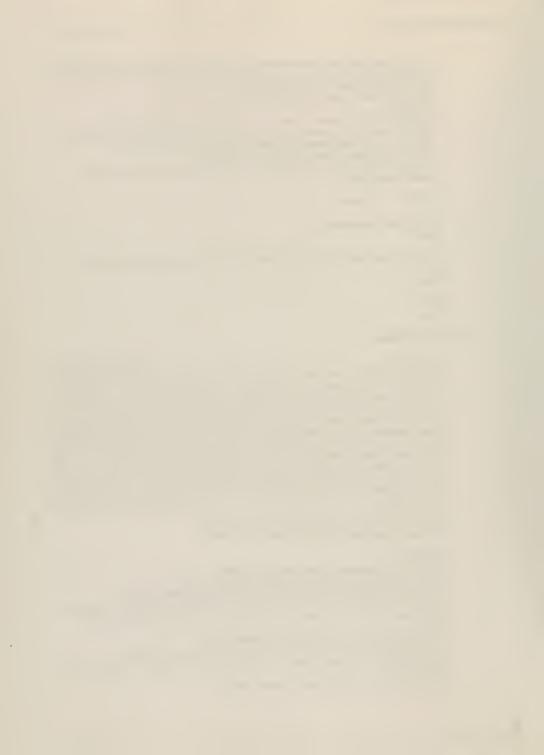
2222 BROADWAY - north side, between Webster and Fillmore Streets, with additional frontage on Vallejo Street, Lots 1, 23 and 24 in Assessor's Block 564. Request for Conditional-Use Authorization under Sections 209.3(g), 209.3(h), 303 and 304 of the Planning Code to permit a Planned Unit Development (PUD) for the expansion of the Schools of the Sacred Heart. The site consists of two private elementary schools and one private secondary school. The proposal is to demolish and remove the outdoor play yard and the two-story wood-framed classroom building on the southwest corner of Vallejo and Webster Streets, behind the existing Grant Building, and to construct a new four-story over basement approximately 39,000-gross-square-foot Fine Arts and Science building serving the existing elementary and secondary schools. The proposal would require modification of rear yard requirements, pursuant to Sections 134 and 304 of the Planning Code, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District

Preliminary Recommendation: Approval with conditions (Continued from Regular Hearing of December 7, 2000)

#### SPEAKER (S):

# (+) Don Clay - Chairman of the Board of Trustees

- The school has been located in the city for many, many years.
- There are 150 children from various denominations who attend the school.
- There are 3 schools on the site and all of these schools have separate administrations.
- This project is for a fine arts and science school which would be a state-of-the-art facility.
- This project has been in development for about 2 years.
- There have been various meetings with faculty, students, and neighbors.
- The architect has managed to keep the design of the school to keep the integrity of the neighborhood.
- He realizes that there are issues regarding events.



- All the buildings of the school require maintenance and cleaning, which are funded by the events the school has.
- The 48 events requested are essential for funding the schools.

# (+) (did not state name) SMWM - Project Architect

- Displayed a picture of how the new facility will look like.
- Her firm has designed may schools in the City.
- This new addition will not make the school any bigger but at least it would solve some of the problems the school currently has.
- Over half of the school is being built underground.
- The design of the new addition will add to the look of the neighborhood.

# (+/-) Karen Catz - Property Manager of 2288 Broadway

- There is no objection to the school becoming a school.
- Their only objection is for the school to become an event center.
- They agree with the compromise of 48 events per year.
- The noise of these events should be kept to a minimum.
- There were more speakers who were scheduled to come but because of the cooperation of the school many people decided to stay home.

## (+/-) Brian Ramsey

- He lives across the street from the school
- He agrees that this school is a wonderful school.
- The party situation is very extreme.
- Because of the situation of the school, noises from the school carry far.
- Cutting back to 48 events is acceptable as well as the other conditions.
- He would like to make sure that the cleanup is done at an appropriate time.
- In the morning at 6:00 a.m. on Sunday loud noises are just not acceptable.

# (+) Claudia Sagastume

- She is a Sophmore at the school.
- She is very proud to attend this school.
- She has been dancing since she has been 5 years old and would like to have an arts facility be constructed at the school.
- She would like the Commission to approve the project.

# (+) Maria Sullivan

- She is a senior at the school.
- She has attended Sacred Heart since pre-school.
- The new arts facility would be a great asset in education for the students.
- The school has created various foundations to provide assistance to students.

#### (+) Julia Jara

- She is in the 7th grade.
- She represents the middle school of the Sacred Heart.
- It can be difficult for students to have to share classrooms and supplies. This new building will provide great opportunities for students.
- The students will be able to enjoy various artistic studies.

# (+) Daniela Sabalvaro

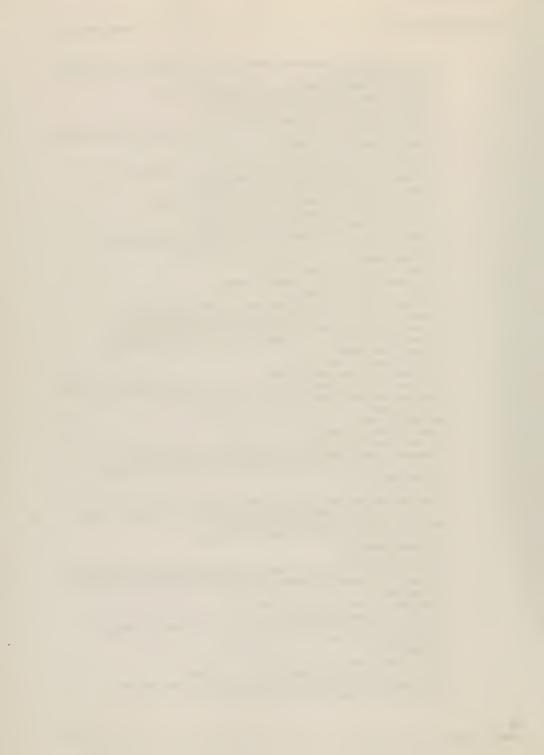
- She is in the 4th grade.
- In the new facility, the students will be able to enjoy more space than there currently is.
- Several of the students are already interested in various arts and science classes.

#### (+) Fred Parkin

- They have lived across the street from the school.
- The school has been a good neighbor.
- The school has always been available to listen to the concerns of the neighbors.
- He is in favor of the school to expand their facilities.

# (+) Claire Pesiri

- She has two children attending the school.
- This is a wonderful project for the school and the students.
- As a neighbor, the parties at the school have always been well maintained.
- The parking is an issue but this is San Francisco!



- She realizes that it is costly to maintain these beautiful buildings.

# (+) Gary Gee

- The children attending kindergarten are the real heirs of the school.
- It is important for the students and the parents for this facility to be approved.
- The school has worked very hard in the negotiations with the neighbors.
- He would like to have more events scheduled but he is comfortable with the compromise.

#### (+) Molly Nelson

- She and her husband live across the street from the school. Although they don't have any children, they still participate in the school by attending the events.
- The meetings with the architect have always been geared towards the needs of the neighbors.
- She feels that the events issue has been tied to the construction issue.

#### (+) Donna Morgan

- She has been a neighbor and a homeowner across the street for 25 years.
- The school has always been a wonderful school.
- She works for the school for about 2 years.
- She has never had any complaints regarding the school and/or events at the school.

#### (+) Alan Harkomen

- He is in the 5th grade.
- When the new building is done, he will be able to use.
- He looks forward to having a nice science building.

# (+) Darren Criss

- Read a statement from another student who is in support of the new facility.
- Daryn is student body president.
- The loves the school he attends and knows that when he goes to high school the transition will not be a difficult one.

# (+) Rev. Arnold Townsend

- At his church he is the pastor.
- They have attended many events at the school.
- They developed a program where the kids from his school would be able to come to Sacred Heart School and enjoy of their facilities.

#### (+) Rev. Henry Davis

- They minister to various communities.
- They are grateful to God for the Sacred Heart School to open their doors to them and their students.
- This gives many kids a great opportunity.

# (+) Erin Niehaus

- She lives across the street from the school.
- She has never had any problems with the noise of these events.
- There was only one instance where she had a problem with the school but the school was more than accommodating to her and her husband and was even apologetic.
- Every year she attends events at the school.

#### (+) Edward Zelinsky

- He lives on Broadway.
- His daughter attends Sacred Heart School.
- The Fine Arts and Science building will be a great asset to the current students and for generations to come.

# (+) Diana Ward

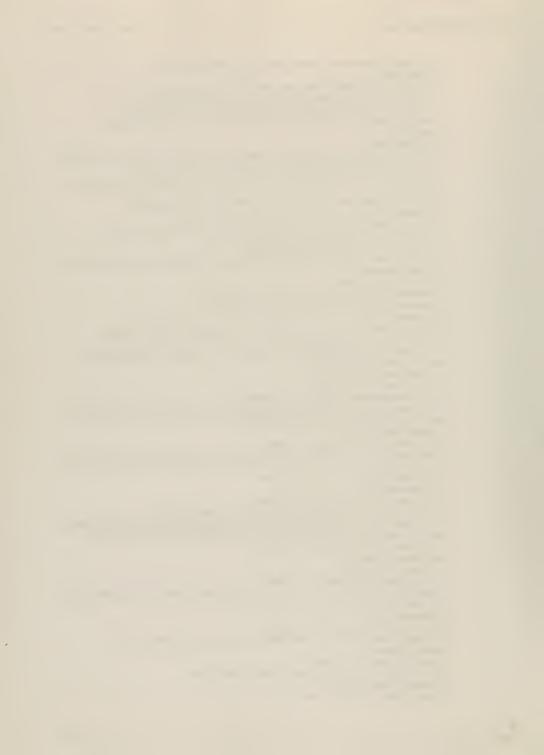
- She lives 3 blocks away from the school.
- She only wishes that other of the neighbors were supportive of the school.

#### (+) Alex Saborit

- He is a resident of the school.
- He would like for the Commission to approve this project.

# (+) Nicholas De Lancie

- His daughter attends the school.



- The facility will be highly beneficial for the curriculum of the school.
- The project has been design to take into consideration the needs of the school and the look of the neighborhood.
- Although the school has graciously restrained its events, it's not good to restrict someone to do what they want in their property.

# (+) Marion McGovern

- She has 3 children who attend the school.
- She realizes that when there are events at the school, there is much more parking problems.
- There are parking issues already in the neighborhood.
- It doesn't seem fair to associate the events with the construction of the new facility.

#### (-) William Smith

- He lives on Pacific Street.
- His bedroom looks into the school.
- The school is a fine school the only problem he has is the noise from these events. It seems as if in the past years, the noise has become worse.
- Many times he has had to complain to the school. Although the school has tried to be very accommodating, there was one event that just got out of hand and no one was able to solve the problem.

# (+) Jim Forbes

- He believes that 48 parties are going to be very expensive for the school in regards to maintenance.
- Forty-eight events are too little. He recommends at least 60.

# (-) Judith Taylor

- She feels like the grinch for being here to speak against the project.
- She has nothing against the school. She feels that some monitoring should be established on these events.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16082

13. 2000.967C (LEBLANC: 558-6351)

1717 POWELL STREET - west side between Columbus Avenue and Union Street; Lot 005 in Assessor's Block 0101 -- Request for Conditional-Use Authorization for: (1) a business or professional service use on the ground floor, (2) a small self-service restaurant on the ground floor, and (3) a non-residential use 2,000 square feet or larger (but not more than 4,000 square feet) in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District. The proposal is to convert the ground floor retail space in an existing three-story over basement building to a combination business/professional service, box office/retail and cafe space associated with the Muriel's Theater project which is under construction next door at 1731-1741 Powell Street.

Preliminary Recommendation: Approval with conditions

Item taken out of order

SPEAKER (S):

#### (+) Joel Yodowitz

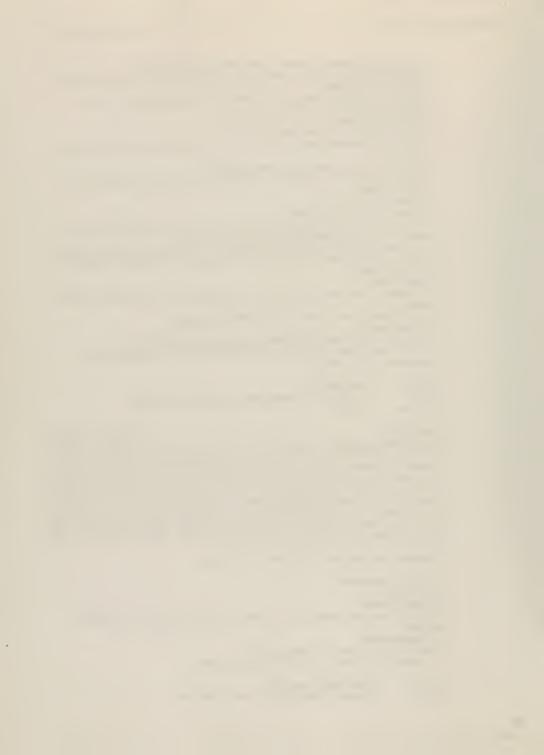
- He doesn't have any comments, only that the project sponsor is here to answer any questions.

# (+) Name unclear

- He is a business owner in the neighborhood.
- He would like to know if the food will be prepared onsite?

ACTION: Approved as amended

AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis



NAYES: Salinas

#### E. SPECIAL DISCRETIONARY REVIEW HEARING

At the conclusion of the Regular Calendar, the Planning Commission will convene into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters. Procedures governing Special DR Hearings are as follows: DR Requestor(s) are provided with up to five (5) minutes for a presentation and those in support of the DR Requestor(s) are provided with up to three (3) minutes each. The Project Sponsor is then provided with up to five (5) minutes for a presentation and those in support of the project are provided with up to three (3) minutes each. At the conclusion, each side (not each person) is provided with two (2) minutes for a rebuttal.

14. 2000.1016D

(GORDON: 558-6309)

1775 QUESADA STREET - Building Permit Application No. 200012087607, Case No. 2000.354D, for the property at 1775 Quesada Avenue, south west side of the street between 3rd and Newhall Streets, Lot No. 034 in Assessor's Block 5338. Request for Discretionary Review to revise Building Permit Application No. 9718416, for construction of two new dwelling units on two floors with a mezzanine level on a vacant lot. The proposed revisions would allow an increase in the overall height of the structure by 1.85 feet (from 27.65 feet), an increase in height at the front facade by 1.5 feet (from 27.5 feet to 29 feet), and an increase in the maximum roof elevation of the building by .85 (from 35.65 feet to 37.5 feet). The work proposed under Building Application No. 9718416 has been permitted by both the Planning Department and Department of Building Inspection, but not yet built. The project site is within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review; meet requirements of Building Permit Application No. 9718416.

SPEAKER (S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Fav. Joe. Salinas, Theoharis

ABSENT: Chinchilla

15. 1999.998D

(WANG: 558-6335)

583-587 CORBETT AVENUE - east side between Iron Alley and Glendale Street, Lots 110 and 111 in Assessor's Block 2717, proposing to construct a two-story-over-garage and basement single-family dwelling on each of the two vacant lots in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Hearing of December 7, 2000)

#### SPEAKER (S):

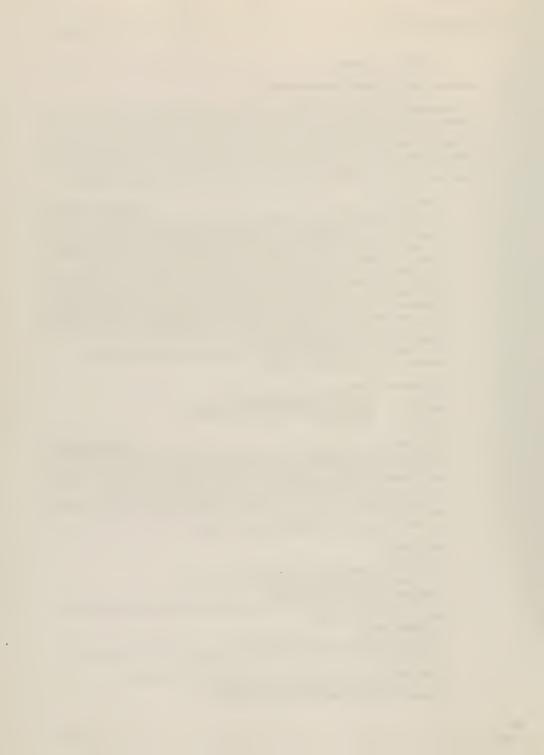
# (-) Ed Corvi

- He lives next to the proposed construction.
- There are special circumstances related to Corbett Avenue.
- Displayed a map of the blocks and lots.
- With the construction of the new homes, it would shut out everyone on the street and everyone on Greystone Avenue.

# (-) William Rose

- Most of the houses are 1 story above the street.
- He has always known that he couldn't build up because it would take away the view of the neighbors.
- The new houses would block his view and impede sunlight in the morning.
- The houses will be out-of-character to the neighborhood.

# (+) Jeremy Paul - representing project sponsor



- This is a project he has worked on a few years ago.
- He helped the owner get a variance to allow him to split the lot.
- The project sponsor owns a restaurant in the Haight-Ashbury area
- He and his family would like to live in these two homes.
- The area is a high-density neighborhood.
- There is a lot of building mass in the area.
- Other adjustments were made to make the homes neighborhood friendly.

#### (+) Mr. Michael Zhao

- He and his family have been working very hard for many years and hoping to build a home like the one that is being proposed today.

ACTION: Do not take DR, project approved as submitted. AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### 2000.1049DDD 16.

(WONG: 558-6381) 85 SYCAMORE STREET - Lot 045 in Assessor's Block 3576, on Building Permit Application No. 2000.06.20.2307S. Request for a Discretionary Review for the construction of a new three-unit building in a RH-3 zoning and 50-X height/bulk-zoning district. The proposal is to remove the two existing, one-story structures (one two-unit building and one one-unit building) and to construct a new three-unit building with three legally independent parking spaces, accessed from Sycamore Street in a RH-3 zoning and 50-X height/bulk-zoning district.

Preliminary Recommendation: Do not take Discretionary Review and approve project as modified by applicant.

(Continued from Regular Hearing of January 18, 2001)

# SPEAKER (S):

# (-) Rob Weedn

- Would like to ask for a continuance of this project because not everyone in the neighborhood was aware of the changes to the plans.
- This building is out of character to the neighborhood.
- The neighborhood rental stock will be lowered and rents will be raised throughout the neighborhood.
- Sunlight will be block to various homes.
- There are various signatures on a petition from neighbors who agree on taking Discretionary Review.
- The neighborhood character will be changed.
- The second design is an improvement but the structure is still too large.
- He recommends a 3-story building and no condominium option.

#### (-) Christina Bar

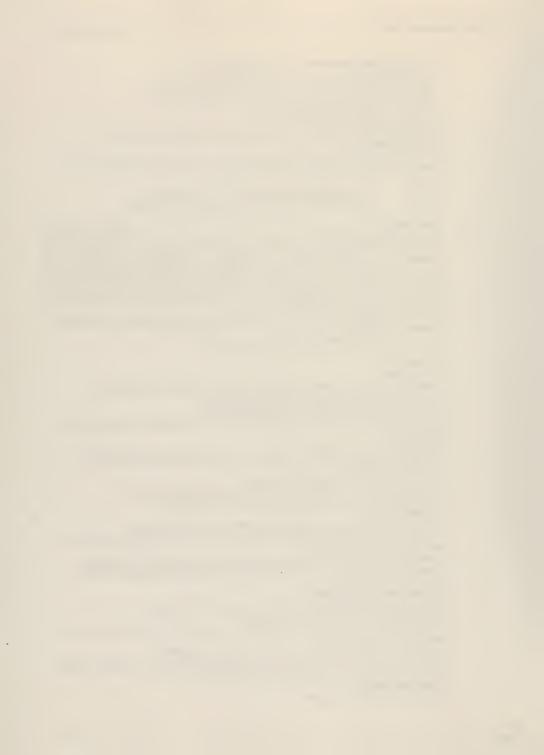
- She has been a resident of the Mission District for more than 4 years.
- Although technology has improved the Bay Area, one should not forget about people who need to live in communities.
- Although the current building has no tenants and no one will be displaced, the new building will be too large. This will set a precedent for larger buildings and will create higher rents in the area.

# (-) Linda (last name unclear)

- She was born in the neighborhood and has lived there all her life.
- The sunlight is the best thing in her building.
- She has had many operations to her back and hip and needs the sun because when it gets cold she has a lot of pain.
- She is very concerned about the height of the proposed building.
- She is very reasonable and some of the changes made to the previous design are good but she would still like the building to be modified to be lower.

# (-) Ray Mascarenas

- He is one of the DR requestors.



- He owns a building on Sycamore since 1968.
- He has lived on this block as a tenant as well as a landlord.
- The proposed structure will be out of character to the neighborhood.
- He would like to preserve the cultural diversity of the neighborhood not have the building provide condominiums.
- The small businesses will suffer if the character of the neighborhood is changed.
- He would like the Commission to approve Discretionary Review and modify the design of the building.

# (+) Jerry Agusta

- He is the project sponsor. His company, Buena Vista Builders is located in the Mission, about a block a way from the proposed site.
- He considers himself a good neighbor and a good builder.
- There have been many meetings with the neighbors and there have been revisions done to the design of the building.
- He bought the property and drug dealers immediately used it and a crack house was established.
- He called the police many times.
- The building really should be demolished and a new one constructed.
- Many buildings in the neighborhood are 3 stories over garage.
- The neighborhood is congested; therefore, he has allowed for up to 5 parking spaces in the building.
- He has filed a Notice of Special Restrictions on the deed.
- He has been very considerate to the neighborhood and asks for the project to be approved and not take Discretionary Review.

# (+) Jonathan Pearlman - Project Architect

- He displayed drawings and designs of the proposed structure.

Do not take Discretionary Review and approve project as modified.

Baltimore, Chinchilla, Fay, Salinas, Theoharis

ABSENT: Joe

#### Item called out of order.

#### 17. 2000.1242D

ACTION:

AYES:

(WOLOSHYN: 558-6612)

2101 SCOTT STREET, northwest corner of Scott and Sacramento Streets; Lot 56 in Assessor's Block 1003. Request for Discretionary Review of Building Permit Application No. 2000.0925.1458S proposing to convert an existing Laundromat into expanded office space for a design business which currently occupies space elsewhere in the building. The project includes interior improvements, minor facade improvements and the addition of a basement. The subject property is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

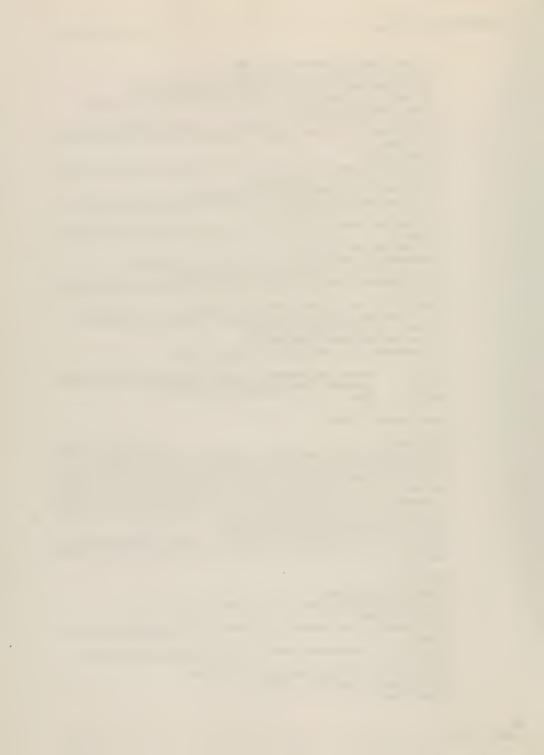
Preliminary Recommendation: Take Discretionary Review and approve project as modified by applicant and subject to conditions to be recorded in a Notice of Special Restrictions.

#### SPEAKER (S):

#### (-) Sidney Luscutoff, Esq.

- The project sponsor would like to request that the Commission vote to take Discretionary Review.
- The neighbors and the DR requestor do not want to have the Laundromat converted to office use.
- Any use of that space should be used for any type of business that supports the
- Certain conditions of the Planning Code have not been met.
- Please observe the needs of the neighbors.

# (-) Cora Wang



- Her property side yard is connected to the proposed site.
- She has complained many times about disruptions in the back yard of 2101 Scott Street, which is connected, to her property.
- In the last 2 days, she has talked to many neighbors and has gathered signatures from these neighbors.
- She would like to have the Laundromat replaced with a neighborhood-serving business.

#### (-) Ian Berk - Pacific Heights Residents Association

- He is very concerned about the commercial use at residential neighborhoods.
- He lives in the neighborhood.
- They like the owner. The owner has a low-impact business.
- The neighbors oppose of this change.
- There should be restrictions to the hours of operation.

# (-) Linda Colder- Upper Divisadero Improvement Group

- She does not support any more business intensification in her neighborhood.
- If this project is approved, they don't want to have any problems with parking.

#### (-) Jerry Klein

- He would like to speak on the parking issue.
- The parking spaces should not be removed.
- There was a unit, which had a parking space, but it was removed.
- The parking garage was never legally converted to office space.

# (+) Brett Gladstone - Representing Project Sponsor

- He presented a permit to legalize the garage into office, which is Exhibit B in the brief.
- There are Notice of Special Restriction issues, which have been agreed to.
- The intensity of the use is being reduced since the Laundromat is used 7 days a week, the office is open 5 days; the laundry is 16 hours a day, the business is 9 hours a day; the Laundromat is used until after midnight on weekends, the office is not open on weekends; finally, there are only 7 employees who will be working in this office space.

# (+) Tracy Teraoka Patel - Residential Care for People with AIDS

- There was a neighbor in support but had to leave earlier but wrote a letter which she submitted for the record.
- She is currently a Board member of My Tree.
- Her organization has been around for 13 years.
- She would like the Commission to approve this project.

#### (+) Mark Sacket

- His wife and he own the building where this project is proposed.
- He lives in the apartment upstairs.
- The Laundromat owner hasn't been good about maintaining it.
- There are neighbors who support this project.
- He is concerned about traffic as well and believes that this project will not intensify the neighborhood.
- He has lived in this building for 13 years and has no intension of moving.

ACTION:

Take Discretionary Review and approve project as modified by applicant and subject to conditions to be recorded in a Notice of Special Restrictions.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### 18. 2000,1095DDD

(TAM: 558-6325)

2424 CASTRO STREET - west side between Day and 30th Streets; Lot 14 in Assessor's Block 7537. Request for a Discretionary Review to construct a second-story addition over the existing one-story-over-garage, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with revisions.

SPEAKER (S): None

ACTION: Continued to March 8, 2001



AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

# 19. 2000.1064D

(B. WASHINGTON: 558-6263)

3720 21<sup>ST</sup> STREET - Lot 016 in Assessor's Block 3604. Request for Discretionary Review of BPA 2000/08/10/7546s to construct a one-story vertical addition to an existing single-family, two-story dwelling unit in an RH-1 (Residential, House, One-Family) District; and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

# SPEAKER (S):

# (-) Kevin Burk

- He lives across the street from the proposed project.
- He did not get notification of the permits and plans to renovate.
- The setback was not measured correctly.
- He met with the project sponsor and was able to agree on a few changes.
- The project sponsor asked him to withdraw the DR.

# (-) Amy Powell - President of the Dolores Improvement Club

- She would like for the Commission to vote on taking Discretionary Review.
- She has received a number of inconsistent and incomplete information.
- She met with Mr. Kim last week so he could explain the design. She has been in shock to see how inconsistent the information is.

# (-) Hans Colby

- He lives across the street from the proposed house.
- He will loose the character of the house he lives in if the project is approved.
- He was surprised to learn that the measurements on the design are wrong.
- Various calculations are wrong.

# (+) (did not state name)

- He and his wife bought the house in 1980. They have lived there for 12 to 13 years.
- The house was originally built as a one-story house with a basement.
- The basement has low ceilings. The house is really not that large.
- He owns the shortest house on the block.
- He has always instructed the architect to be totally code compliant.
- Even after the renovation, the house will still be smaller than the other homes on the block.
- He has worked long and hard to meet with the neighbors -- about 25.
- He offered to pay for a skylight in the DR requestor's bathroom.
- He also offered to pay for trees that would block his view into the DR requestor's yard.

ACTION: Do not take DR and approve project as approved by staff.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

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The Brown Act forbids a Commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the Commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

# Jonathan Pearlman

Re: Bay Windows

- He is an architect in this City and runs into problems with the Planning Code regarding Bay Windows since people complain that they are very large.
- There is no interpretation from planners regarding the Planning Code and Bay Windows this has become a problem to designers in San Francisco.

Adjournment: 7:00 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 8, 2001.



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# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, February 1, 2001

1:30 PM

DOCUMENTS DEPT

Regular Meeting

MAY 1 5 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: None

# THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:38 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green - Director of Planning; Larry Badiner- Zoning Administrator; Kenneth Chin; Scott Sanchez; Michael Li; Andrea Wong; Fallay; Matt Snyder; Craig Nikitas; Isolde Wilson; Nora Priego - Transcription Secretary; Linda Avery – Commission Secretary

# A. ITEM PROPOSED FOR CONTINUANCE

2000.428D (NIKITAS: 558-6306)
 1615 BRODERICK STREET - west side between Sutter and Bush Streets, Block 1053, Lot 002: Request for Discretionary Review of Building Permit Application No. 2000/10/06/2475, to remodel an existing Group Home in an RH-3/40-X District. Preliminary Recommendation: Approval with Conditions (Proposed for Continuance to February 8, 2001)

SPEAKER(S): None

ACTION: Continued to February 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

Consideration of Adoption - draft minutes of January 11, 2001

SPEAKER(S): None

7 - 0,0790 0 - 0 ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### Commission Matters

#### Commission Chinchilla:

- He would like to have a report on the problems builders have had with the Planning Code and Bay Windows. This was a matter brought to the Commission during Public Comment at the hearing held on January 25, 2001.

#### Commissioner Theoharis:

- She would like a copy of the updated Commissioner's Action List.
- She would like to have staff from the Citywide group of the Planning Department notify Commissioners personally instead of sending out mailings regarding meetings that are scheduled for the Better Neighborhoods 2001 program.

Commissioner Baltimore: Visitation Valley Community Groups Update on February 15, 2001.

#### C. DIRECTOR'S REPORT

- Director's Announcements
   Jobs Housing Linkage Program will be heard during the Finance Committee meeting on February 8, 2001.
- Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOS

None

воа

# None

REGULAR CALENDAR

2000.1031C

(CHIN: 575-6897)

1060 – 1068 HYDE STREET - southeast corner of Hyde Street and California; Lot 023 in Assessor's Block 0251. Request for Conditional Use authorization pursuant to Section 723.83 of the Planning Code to install a total of three antennas and a base transceiver station on an existing two-story over basement building, also known as the Hyde Out Bar, as part of Sprint's wireless network in the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines the proposal is a Preference 6.

Preliminary Recommendation: Approval with Conditions

#### SPEAKER(S):

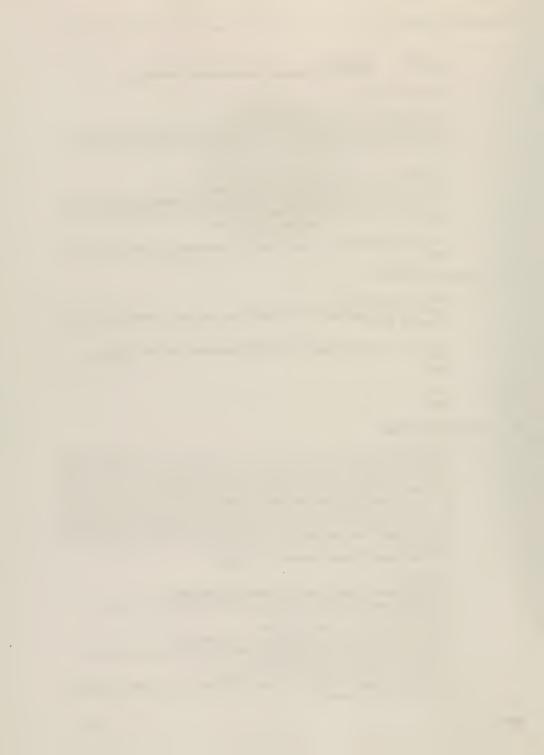
# (+) Robert Krebs - Project Sponsor representing Sprint PCS

- This petition complies with the WTS Sighting Guidelines and the San Francisco Municipal Code.
- Three antennas will be installed on the roof.
- The transmission equipment will be located on the ground floor.
- All sights in the area were analyzed and considered but the proposed location was necessary and compatible with the community.
- The equipment will provide reliable service to the area.
- Community meetings were held in the neighborhood. Both building owners and tenants were notified of these meetings.

Page 2

D.

6.



#### (-) Todd Spencer

- He works with telecommunications equipment so he knows enough about antenna radiation.
- There are a lot of controversies regarding the health effects from the use of cell phones.
- Companies should avoid sighting base stations near schools because of the health concerns.
- The FCC has published various reports on this issue.
- The only thing that Sprint needs to provide is that the site is legal, but they don't have to prove that there will be any health concerns.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16083

# 7. 2000.385C

(SANCHEZ: 558-6679)

<u>2001 UNION STREET</u> - southwest corner at Buchanan Street; Lot 024 in Assessor's Block 0541. Request for Conditional Use Authorization pursuant to Section 725.83 of the Planning Code to install a total of eight antennas on the existing rooftop penthouses and an equipment shelter on the second floor of the existing six-story mixed-use building as part of Nextel's wireless telecommunications network within the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines the proposal is a Preference 2 (co-location site).

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of December 14, 2000)

# SPEAKER(S):

# (+) Ann McSweany - Project Sponsor

- There will be 4 antennas located on 2 separate penthouses.
- Using the site selecting process, this location was best suited for these antennas.

#### (-) John Kelley

- He would like to commend the planner on a good job working with him even though he is not in agreement with the decision.
- He is concerned about the health issues regarding radiation from antennas.
- Cell phone companies have admitted that there are health problems with the use of cell phones.
- Nextel has had a lease on this facility so it's up to them to prove that there is no better location.
- Regarding zoning and appearance, the base stations are ugly and bad for the neighborhood.

# (+) Dane Ericksen - Representing Hammet and Edison

- For an unconstructed site near an existing site, measurements can't replace the affects of the second site because it does not exist yet.
- The affects of the AT&T site were considered.

ACTION: Approved

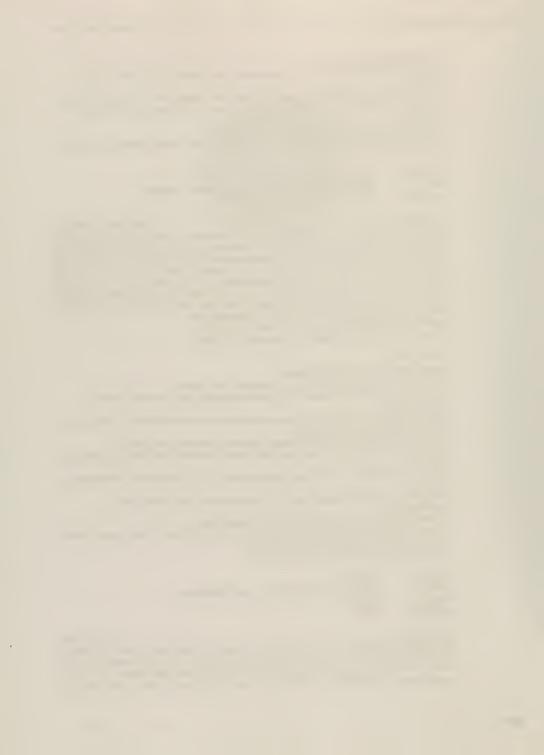
AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis

NAYES: Salinas MOTION: 16084

8. 2000.1221C

(LI: 558-6396)

450 SUTTER STREET - north side between Powell and Stockton Streets; Lot 006 in Assessor's Block 0285. Request for Conditional-Use Authorization pursuant to Section 219(c) of the Planning Code to consolidate existing office and retail spaces into a single office space of approximately 15,227 square feet on the third and fourth floors of the 450



Sutter Medical-Dental Building within a C-3-R (Downtown Retail) District and an 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

#### SPEAKER(S):

# (+) Bob McCarthy - McCarthy and Swartz - Representing the project sponsor

- This building has been an office building for many, many years, most specifically for doctors and dentists.
- Various tenants decided to stay even when the rents were raised.
- Of the tenants who moved out, they have been relocated to other locations.
- The building has suffered a long-term vacancy rate.
- Turner Construction has been in the City for 22 years and have had about 4 billion dollars in contracts. They want to remain in San Francisco.
- There will be interior renovation and construction done to the building.

# (+) Peter Sotos - Representing the Owners of 450 Sutter Street Building

- The owners of the building, own two of the largest medical buildings in San Francisco.
- The people that they cater to, Doctors and Dentists, have relocated to other locations.
- There was a referral incentive for the current tenants which means if any doctor or dentist refers a tenant of the medical profession and successfully stays, would receive \$1.000.
- (+) Sam (last name unclear) General Manager of 450 Sutter Street Building
- He has managed various medical/dental buildings.
- He was hired to manager 450 Sutter Street building since there was about a 20% vacancy in the building.
- There were various marketing strategies, which became kind of slow and tedious since dentists and/or doctors don't want to move too frequently.

# (+) Jay Turnbull - Page and Turnbull Architects

- This building is a historic building.
- His architectural firm has various years of experience working on historic buildings.
- There will be major improvements to the interior of the building, most importantly are life-safety improvements.

# (+) George Sanen - Representing Turner Construction Company

- This company was originally headquartered in New York. They have been in San Francisco for the last 26 years. They have built various buildings here including City Hall.
- The office in San Francisco is vital to their company since they currently have many tenant improvement contracts in San Francisco.

#### (+) Bob Bagley - Executive Director of the Hotel Council

- He would like to speak on the economics of occupancy. Hotels and office buildings run into the same problem. If they're not occupied, you're not in business.
- It is not unusual to have buildings change because of the tenants who occupy it.
- Office buildings that are high in occupancy require clients to come into the city and stay at San Francisco hotels.

# (+) Scott Arbor - Hired by the ownership of 450 Sutter Street building

- This building has not been able to benefit from leasing tenants like other buildings in San Francisco.

# (+) Simon Goldstein - Hired by the ownership of 450 Sutter Street building

- There has been an intensive marketing campaign to try and get more tenants into the building yet it's been a very hard task. They have done all that they could possibly do for this.

# (-) Dr. Liza (last name unclear) - President of the San Francisco Dental Society

- -The organization opposes the change of use of this building.
- If the status were changed, this would be detrimental to the tenants.
- Imagine if a hospital was dismantled?
- There is a medical waste issue as well. Having all the providers in one central location is more beneficial to remove this waste from one location.
- For more than 70 years this building has had medical/dental tenants.



- She has served on the Board of Directors of the association and has never heard of these incentives.

# (-) Dr. Roland Barakat

- He found out about this meeting only a few days ago.
- He read a letter in opposition from a tenant at 450 Sutter Street building that was unable to attend the hearing.

# (-) Dr. George (last name unclear)

- He has been a tenant at 450 Sutter Street for various years.
- Various tenants have received rent increases.
- He wonders if the lease and cost information is accurate.

ACTION: Approved

AYES: Baltimore, Chinchilla, Salinas, Theoharis

NAYES: Joe, Fay MOTION: 16085

#### E. SPECIAL DISCRETIONARY REVIEW HEARING

At the conclusion of the Regular Calendar, the Planning Commission will convene into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters. Procedures governing Special DR Hearings are as follow: DR Requestor(s) are provided with up to five (5) minutes for a presentation and those in support of the DR Requestor(s) are provided with up to three (3) minutes each. The Project Sponsor is then provided with up to five (5) minutes for a presentation and those in support of the project are provided with up to three (3) minutes each. At the conclusion, each side (not each person) is provided with two (2) minutes for a rebuttal.

9. 2001.0036D

(WONG: 558-6381)

1955 PALOU AVENUE - south side, between Rankin Street and Silver Avenue; Lot 037 in Assessor's Block 5330. Request for Discretionary Review of Building Permit Application No. 200005311379S - a proposal to construct a two-story front and side addition to a single-family dwelling, in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary review and approve the project as proposed.

#### SPEAKER(S):

# (-) Roberta Reese - Discretionary Review Requestor

- She just moved back into this house in order to take care of her mother.
- She opposes the new construction because it will block the sunlight from her mother's house.
- She welcomes current additions done to some of the houses, but this should be done with consideration to the surrounding houses.
- Many of the houses in the neighborhood have set backs and are detached.
- The houses in the neighborhood are single-family.
- This construction is just too big for its lot.

# (+) Edward Wong - Project Sponsor

- He has had many calls from his realtor stating that there have been complaints about drug dealing and the house being used as a crack house.
- The house has been vacant for many years.
- The house is not a large one.
- Regarding historical items, the whole building has been damaged. There is no historical value.
- All he would like to do is to construct more affordable housing in San Francisco.
- By demolishing this house and constructing a new one, he is improving the neighborhood and increasing the value of the neighbor's homes.



ACTION: Take DR and approve project with a Notice of Special Restriction AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

10. 2000.1200D

2000.1200D (FALLAY: 558-6367)
4515 20th Street - south side between Eureka and Douglass, Lot No. 049, in Assessor's
Block 2749. Request for Discretionary Review of Building Permit Application No.
9909606, case No. 2000.1200D proposing to construct a second-story addition with new
decks at the first floor level of the existing one-story-over-garage, single-family dwelling in
RH-2 (Residential House, Two-Family) District and a 40-x Height and Bulk District.

Preliminary Recommendation: Approval with conditions

#### SPEAKER(S):

# (-) Andy Lowis - DR Requestor

- He would like to correct a statement from Mr. Fallay's report that this building is within 10 feet of the rear property line.
- He spoke to Mr. Fallay to tell him that he would be moving from San Francisco.
- He would like to request that this project be continued for at least 2 weeks in order for the other neighbors to scrutinize the information.
- Some of the neighbors did not receive notification of the hearing.

# (-) James Hatch

- He showed an aerial picture of the street where the project will be located.
- Many of the houses were built many years ago.
- The project house is on a small lot.
- Many of the neighbors were not able to come to the hearing but they have expressed their concerns via letters.
- The project applicants are trying to double the density of the structure on a lot that is already too small.
- The house does not comply with the 15-foot front set back, which all the houses comply with.

#### (-) Sharlot Hatch

- The issue for her and her husband is related to privacy.
- Because of the design of the new addition, the bay windows will invade their privacy.
- Other houses will be affected with light and air blockage.
- Many of the neighbors did write letters in opposition.

# (-) Claire Pilcher - Friends of Noe Valley

- The lot of the house is small which makes the construction go up higher. The higher the construction the more controversial it gets.
- Roof decks in San Francisco just don't make sense and are not really that useful. They mostly block the sunlight from neighbors' houses because of the height.

# (+) Tim Eicher - Project Sponsor

- This project is to add a second story to his home.
- During the past 18 months, he has worked with the neighbors to find out what the concerns of the neighbors are.
- The overwhelming problem that neighbors were concerned about was views.
- The window that would be affected would be a window from the bathroom.
- He has tried to understand the neighbors.
- The size of the house is another great concern of the neighbors. His house is not on a half lot. It's on a smaller lot.
- The aerial picture shown previously proves that his house is smaller than the surrounding houses.
- The construction will be well within reason.
- Regarding privacy, he has removed a deck along the rear of the addition and the windows that would face the neighbor's yard.
- An easement was created so that the neighbors will be protected from future owners wanting to make changes.



# (+) Richard Williams

- He had an opportunity to look at the plans and feels that the construction is a very reasonable one.
- He would like to have this project approved.

# (+) Roger Sare - Project Architect

- He spent a considerable amount of time looking at ordinances and meeting with planning staff so that the construction is compliant to all codes.
- The street elevation shows that the neighbor's house is taller than the proposed addition.

ACTION: Discretionary Review was not taken and the project was approved

modified.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

11. 2000.1203D

(M. SNYDER: 575-6391) 969 DEHARO STREET - east side between Southern Heights Avenue and 22nd Street, Lot 37 in Assessor's Block 4096. Staff initiated Discretionary Review of Building Permit Application No. 2000/11/28/6722 proposing to merge two dwelling units into one unit, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit as submitted.

#### SPEAKER(S):

# (+) Tamsin Ranlet

- They would like to restore the home to its original floor plan from 100 years ago.
- They would like to restore the historic character to the house.
- The only way to go from the lower floor to the upper floor would be to walk outside.
- They are expecting a baby soon and would like to make a room into a baby room.
- They want to create an internal staircase.

#### (+) Nancy Shinehold- Project Architect

- They met 2 of the three criteria that the Planning Department requires.
- The most economic choice would be to combine both units.
- She was surprised to know that this project would have to go through a Discretionary Review process simply because it's a dwelling unit merger.

# (+) Joe O'Donaghue

- This couple played by the rules, contacted an architect and requested permission from the Planning Department.
- Because the rules were changed, this has caused a lot of hardship on the couple.

ACTION: Discretionary Review not taken and the project was approved as

submitted.

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis AYES:

12. 2000.945D

(NIKITAS: 558-6306)

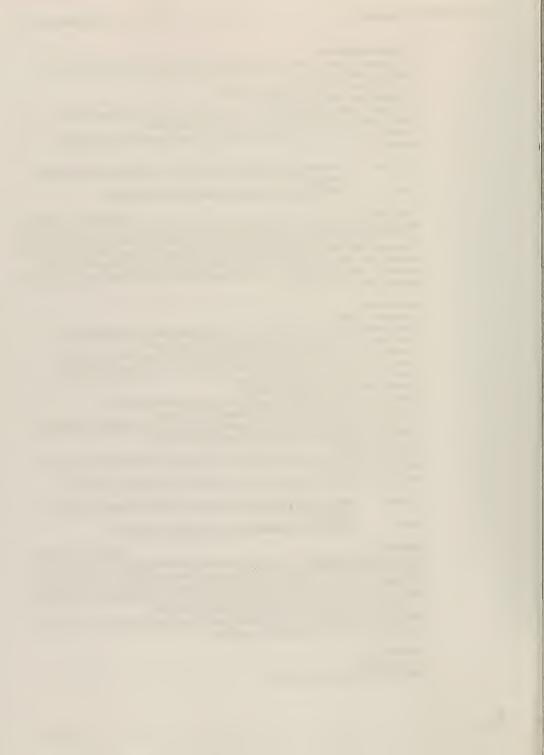
2628 BRODERICK STREET - east side between Green and Vallejo Streets, Lot 011 in Assessor's Block 0954. Request for Discretionary Review of Building Permit Application No. 2000/09/22/1261, to correct a Notice of Violation No. 200000937, regarding removal and replacement of walls and the cross-gable roof at rear, in conjunction with work done on a previously issued building permit, in an RH-1/40-X District.

Preliminary Recommendation: Do not take Discretionary Review and approve Application with height corrections as submitted by applicant.

#### SPEAKER(S):

#### (-) William Kales

- He lives to the north of the project.



- After negotiations and a withdrawn Discretionary Review request, he signed off on plans on April 19, 2000. He went away in August of the same year and about 50% of the project had been demolished. He objected to the demolition by phone in early September and by letter. Rebuilding began and he objected to the roof plan.
- He is asking for the department to recognize that this was a demolition and for the building to be constructed as it was originally intended and that the north-facing property line windows be removed.
- He thanks the Planning Department staff and project sponsor for being cooperative.

# (-) Ann Johnson

- Her concern is strictly with the height of the building.

# (-) Heidi Anglebert

- This is an example of when something goes wrong and construction has already started. Usually the comment is to say leave it because it has already been started. This does not make the construction correct.

# (+) David Cincotta - Representing Project Sponsor

- This project was considered when the owner first purchased the project in 1991. The owner filed permits in 1999. There were two Discretionary Review filers. The owner worked for several months on a compromise.
- The two DR's were withdrawn and construction began.
- This project had actually gotten smaller. It is not an expansion.
- The only thing that was being done was gaining more height.
- The concern is the two windows on the property line. The windows can be replaced but cannot be operable.
- Regarding height, there is actually no impact on the DR requestor.

ACTION: DR not taken. Project approved as modified Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

# 13. 1999,770DDDDD

(WILSON: 558-6602)

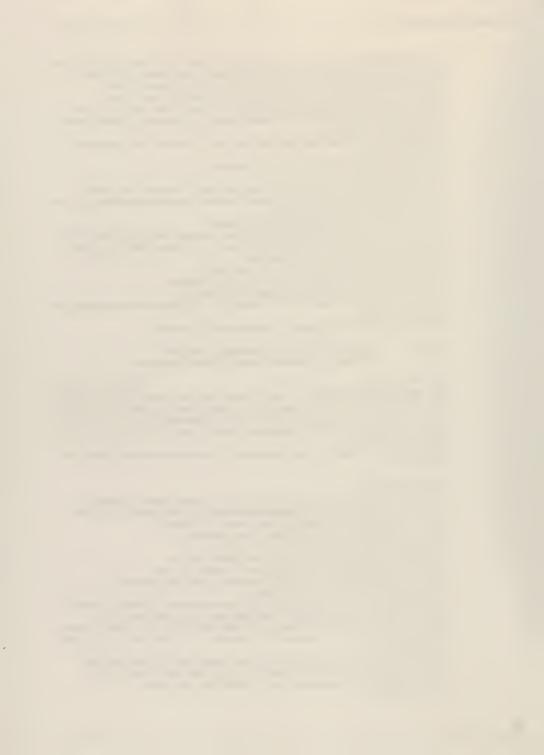
<u>567 - 569 SANCHEZ STREET</u> - east side between 19th and Hancock Streets; Lot 032 in Assessor's Block 3585. The proposal is to demolish an existing single-family dwelling with a detached garage and construct a new three-story plus attic-over-garage, two-family dwelling, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

#### (-) Steve Nicholson

- He lives at 585 Sanchez Street and is one of the Discretionary Review applicants. Because he is secretary of his neighborhood association, he was asked to represent the other 4 Discretionary Review applicants and express their concerns.
- The proposed project is extremely high and extremely large.
- He showed a PowerPoint presentation of the project.
- The site has a 22-foot grade drop to adjacent downhill property.
- The neighborhood has a distinctive character of Victorian homes.
- Only a few cottages had to be demolished and new houses were constructed.
- The majority of the homes are 2 and 3 levels.
- The neighbors are concerned that the project does not respect the height and scale of existing development; does not respect the topography of the street; there will be significant loss of light and air to adjacent properties; loss of public views; impact on midblock open space; failure to comply with Planning requirements; and they are concerned with hillside stability.
- Many of the revisions were made with the need to comply with the Planning Code.
- The neighborhood would like the Commission to approve the settlement envelope.
- All of the Discretionary Review applicants endorse these suggestions.

# (-) Gerard Chang



- He lives across the street from the proposed development.
- From the beginning, the neighbors have tried to reach a compromise. When it became evident that there would be no compromise, the neighbors were forced to file Discretionary Reviews.
- To this date, the neighbors are very disappointed that such a compromise has not happened.
- The fifth level of this development should just be removed since the houses in the surrounding area are 4 stories maximum.
- The neighbors are not opposed of building a home; it just should not be a "monster home."

# (-) Joann Nelson

- She is the next-door neighbor on the downhill part of the street.
- One of her biggest concern is the lack of light in the mid section caused by the construction of this house.
- If the Commission approves a staggered roof, the project will enhance the facade of the neighborhood and they would be able to receive more light.

# (-) Gus Robert Nelson

- He is the husband of Joann Nelson and they have lived in the neighborhood for many years.
- He would like to let the Commission know that with the settlement envelope, they would be willing to have engineers come to his backyard and construct a retaining wall so that bedrock does not come to his yard.

# (-) Michael Moran

- He lives adjacent and uphill to the proposed project.
- He would like the Commission to know that the sponsor and he share a lightwell. The property line wall would loom high above his floor level with no setback. Removing the 5<sup>th</sup> floor would restore light to this area.
- He would like the Commission to require the project sponsor match the width and length of his light well and adopt the settlement envelope.

# (-) Ronald Slein - President of the Sanchez Hill Neighborhood Association

- He resides across the street from the proposed project.
- Sanchez is a very important street since it's very characteristic of a San Francisco neighborhood.
- It is important to him and his wife to protect the character of the neighborhood.
- He proposed to the sponsor that the organization would make recommendations to protect the character.

#### (-) Paul Tuchedo

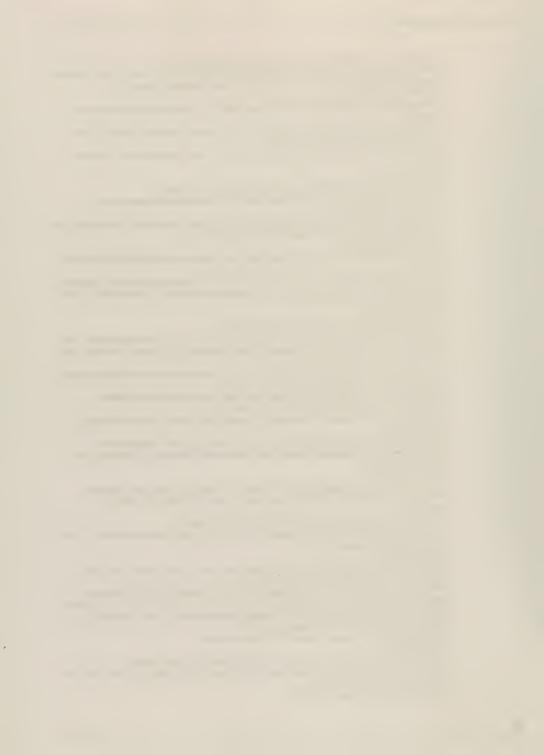
- The neighborhood's suggestion of the proposed envelope is a "win-win" situation.
- He appreciates the time that the Department has put into this to try to reach a settlement.
- The neighborhood is very united on trying to find a settlement.
- The settlement envelope is very reasonable and would provide the sponsor with a very spacious and spectacular home.

# (-) David Mast

- He moved into the neighborhood a few years ago. He and his partner spent about 5 years trying to find a house in this neighborhood.
- When they moved in, they were presented with a building permit across the street. They had some concerns but the project sponsors who were going to do the construction were very sensitive to their concerns. The sponsors immediately made changes from suggestions Mr. Mast and his partner had made.
- He believes that two groups can work together perfectly.

#### (-) Paul Curtis

- Recently the Commission listened to a similar matter on Randall Street.
- The Commission voted +5 -0 to remove the 4th Floor on that particular project and he is very grateful to the Commission.
- The issues on Sanchez are similar.



- The project is too big.

# (-) Norm Leaper- Collingwood Hill Neighborhood Association

- This project, if built as planned, is too large.
- Its size is just very invasive.
- No matter how big the project, developers will always say that they could have made it bigger.
- This is not an isolated problem. San Francisco is a city of neighborhoods. If this building is approved, it will begin to destroy neighborhood character.

# (-) Ray Leaper - Collingwood Hill Neighborhood Association

- Although she lives in an adjacent neighborhood, she understands the concerns all too well.
- What affects Sanchez Street affects them as well.
- Each new house becomes a yardstick for the next construction.
- When a cottage is replaced by a condo, it starts to distort the neighborhood character.
- Why must concerned individuals deal with these issues house by house? That's what the design guidelines are for.
- Something is very wrong and it needs to be fixed very soon.

# (-) Jeannene Przyblyski - Collingwood Hill Neighborhood Association

- She has worked with the Sanchez Hill Neighborhood Association many times.
- She knows that the association is very reasonable and has a sense of cooperation. It has been a pleasure working with them.
- The reason all these people are here is because they live in neighborhoods and in communities, and believes that what affects one person can affect another.
- She would like the Commission to support the settlement envelope.

#### (-) Albert Weitz

- He lives across the street and up the hill from the proposed project.
- He and his wife moved into the neighborhood many years ago.
- He has been very appreciative to all his neighbors.
- He has some remodeling to do to his house but the construction has been halted pending the outcome of this hearing.

#### (-) Vicki Rosen - Upper Noe Neighbors

- She is very familiar with the situation that the Sanchez Hill Association is going through.
- This is a matter of respect. It doesn't seem right that people who live in the neighborhood would have fewer rights than people who do not live in the neighborhood.
- She is in support of the settlement envelope and believes that this would be the best solution for everyone.

#### (-) Judith Hoyem

- She is a 30 year resident of Eureka Valley.
- She is concerned about the development that is going on.
- She would like the Commission to require the project sponsor go back and design the building with a height reduction.

### (-) Ari Fainchtein

- What the neighborhood is proposing is very reasonable.
- This huge thing would be blocking everything in sight.
- This is not about who is building bigger.

# (-) Roger Lotz

- He has lived in the neighborhood for 20 years. He owns two buildings on Sanchez Street.
- The initial plan was monstrous and although the plans have been revised, the project is still too large.
- He would like to reach a compromise where the neighborhood will be happy.

# (-) Eva del Campo - Sanchez Hill Neighborhood Association

- She lives on Sanchez Street.
- All the people in the neighborhood and the block are well established and have lived there for many years.
- What disturbs her most is the size of the building.



- This building will impact her light and space.
- She has a garden and fears that it will not survive because there will be light blockage.
- She would like the Commission to approve the settlement envelope.

#### (-) Jane Watanabe

- She lives in the Mission District and although she does not know anyone on Sanchez Street, she came to say that this project would be bad for any neighborhood.
- She would like the Commission to vote in favor of the neighbors.

#### (-) Judy Langley

- She would like the Commission to support the neighbors and to vote for the adoption of the settlement envelope.

#### (-) John Barbey

- He has been watching this project with horrified fascination.
- The clay at the bottom of the hill is so hard.
- The conformance with the light wells is very critical.
- The requests from the neighbors are very reasonable.

#### (-) Scott Trammell Moore

- He lives on 19th Street.
- The impact on the neighborhood, because of this project, is tremendous.
- The project sponsor has not had a spirit of cooperation.

## (-) Louis Bryan

- He lives on Noe Street.
- He has no association with any of the parties involved.
- He walked by the proposed site and realized how tremendous this project is.
- This kind of proposal is the embodiment of several sins.
- Would you approve this if it were next to the Commissioner's properties?

## (-) Pat Figley

- He lives on Duncan Street.
- There are many cities in this world that have so much charm in regards to their neighborhoods.
- This project will set precedence and change the character of these neighborhoods.

## (-) Marrilee Dowty

- She lives on Diamond Street.
- Everyone who has preceded her has given excellent points and she agrees with everyone.

#### (-) Bill Barrett

- A few months ago, various neighbors were here regarding Collingwood Street.
- The Commission voted in support of the neighbors and made the project be reduced from 4 stories to 3.
- The one solution that would work here would be to take off the top floor.

#### (-) Diane Barrett

- She is a member of the Collingwood Hill Association
- She is thankful to the Commission for voting for the neighbors during a previously heard project.
- Prop M is there for everyone and the guidelines should be followed.

## (-) Nakalema Binaisl

- She lives in Nob Hill and has lived in San Francisco for 10 years.
- Two of her friends live on Sanchez and that is why she is here in support of reducing the project.

#### (-) Claire Pilcher

- She lives in Noe Valley and belongs to the Friends of Noe Valley Association. The association was started simply because of a similar issue.
- Too large houses are not attractive to neighborhoods.
- This is one of the largest proposals she has seen since she has been involved in neighborhood associations.
- She hopes that the Commission will not let this happen.

## (-) Dave Monks - President of Friends of Noe Valley



- He is the new President of this organization and would like to introduce himself to the Commission.
- This project has involved a tremendous amount of work to prove how this project does not go with the neighborhood.
- When these types of building are allowed, it puts a lot of pressure on the surrounding houses.
- He encourages the Commission to respect the history of the neighborhood.

#### (-) Chadwick Carter

- He opposes the demolition of the existing building.

#### (-) Lydia Bransten

- She lives across the street from the proposed site.
- She has contemporary desires for her living space but she decided to keep it to the interior of her home.
- This is a wonderful neighborhood to live in and she is here in solidarity with the rest of her neighborhood.

#### (-) Joe Butler

- He represents Michael Moran.
- He is here to ask that the Commission vote against this project and adopt the settlement envelope.
- If the Commission adopts the settlement envelope, certain neighbors will get 2 more hours of sunlight that they deserve.

#### (-) Joshua Rymer

- He lives on 19th Street, which is just around the corner of the proposed site.
- He has lived in San Francisco for many years.
- When he first received the notification of this project, he was very overtaken by the size and scope and was concerned about the impact of the project.
- Many calls that he made to the project sponsor were unanswered.
- What is being asked here is not reasonable.

#### (-) Lowkee Devon

- She is here in support of the settlement envelope.
- She was here a few months ago on a similar project and the Commission voted to reduce the size.
- The settlement enveloped should be taken seriously.

#### (-) Gary Dushal

- He lives on Sanchez Street.
- The proposed construction will block sunlight to the adjacent homes.

## (-) Denis Richardson – Friends of 1800 Market Street (a preservation organization)

- Part of the reason he lives in San Francisco is that people want to preserve the streetscape.
- He supports the applicant for Discretionary Review.

#### (-) Sue Hestor

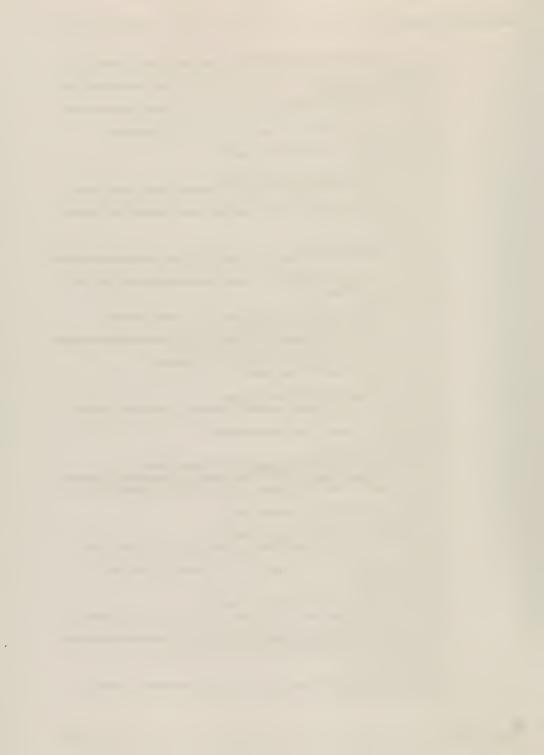
- There will be excavation made during this construction.
- Setting the project down into the hill helps to reduce the project and open up some lightwells.
- There are many people here, which will not speak, that are in support of taking Discretionary Review.

## (-) Richard McCree

- He has been a resident of Eureka Valley for many years.
- He is an architect and believes that not only is an architect a servant of the developer but also of the neighbors.
- He has designed many projects on which the Commission has made a positive impact.
- He believes that it's possible for everyone to come out winning.

#### (-) John Moreto

- He lives on 19th Street.
- He isn't that familiar with the project but he is concerned with the light, which will be diminished on the street.



- A monstrous home attracts attention and detracts attention to the neighborhood.

## (+) Alice Barkley - Representing Project Sponsor

- What the opponents of this project are asking is to take the top floor off as well as press the building down.
- The block has a distinctive topography.
- This is a home that is going to be built for a family.
- There will be two units. The ground floor will be a garage. The second floor will be a 1-bedroom unit. The 3<sup>rd</sup> floor, which is the bedroom floor, is also going to be below grade in the back of the house. Excavation needs to be done to get light and air into these bedrooms. The top floor is going to be for the project sponsor's mother's area.
- It is not true that the project sponsor did not return any phone calls.
- The first design from the original architect is horrible.
- Since the architect did not cooperate, the project sponsor decided to fire them and hire another.
- The reason why the settlement envelope does not work is because the first floor would not get any light and air since it's below grade.

#### (+) Patrick McGrew - Project Architect

- When he was brought into the project he immediately whet to see the site and saw the previous design. He realized that it would be easy to design something better.
- There seems to be a discrepancy with the square footage.
- When the square footage of a house is determined the garage is not included.
- He was unable to preserve a lot of the outside space.
- The neighborhood is not exclusively Victorian.
- This is a very good project.
- The final envelope does meet the neighborhood design guidelines and the Planning Code.
- Although the north elevation looks tall, the south elevation is not. This is simply because of the site the house is located on.
- The objective is not to design a monstrous home.
- The Department requested 5 things: 1) set the front back 10 feet okay; 2) for the building to be lowered 3 ½ feet okay; 3) match Mr. Moran's lightwell okay; 4) two level intrusion will be removed; 5) modulate the construction noise okay.

#### (+) Eckhard Evers

- He is in favor of the proposed construction and likes the design.
- People have the right to build.

#### (+) Mariann Miller

- This is a 3-generation house.
- The baby boom generation is coming along, so finding appropriate housing for everyone is an issue.
- Many adult children are providing help and assistance for their elderly parents.
- This house will allow for a family to live together.

#### (+) Tom Dempster

- He owns a home in the Castro district.
- Wherever one lives, the issues are about views.

#### (+) Robin Bristow

- She has lived in this neighborhood for 5 years.
- She has attended neighborhood meetings.
- At those meetings, the opposing neighbors were very harsh to the project sponsor.

#### (+) Tommy James

- This project is not the exception, it is the norm.
- The project sponsor has gone through a lot to be able to have his family live in one home.

## (+) Alan Pex

- He has lived in San Francisco for many years.
- He is here to support this project.

#### (+) James Seiffert



- Mr. David Balow is not a developer.
- The plans seem to meet the neighbors concerns.

#### (+) Oswell Melton

- The plans comply with the residential design guidelines.
- He is here to support the project sponsor and ask the Commission to approve the permit.

## (+) Martin Guerrero

- He rents at 567 Sanchez.
- He has been coming to San Francisco for many years.
- He is totally in favor of this house being built since he does not want to move from there.

## (+) Brad Sink

- He has lived in the neighborhood for 10 years.
- He does not understand how people are complaining about 5 storied buildings in the neighborhood since there are various buildings that are 5 stories.
- He asks for the support of the Commission.

#### (+) Joe Cassidy

- The site will be safely excavated.
- The job is a pretty safe one also.

#### (+) Clara McMurtrie

- She will be living with her son
- She hopes that the top floor is not taken off.

#### (+) Joe O'Donaghue

- The character of all neighborhoods is not the way the houses look but from the sensitivity of its neighbors.
- This proposal is very sensitive to its neighbors.
- This is not a monster home.

## (+) Jack Bernstine

- He lives in the Diamond Heights district.
- He is in support of this project.

ACTION: Public Comment is closed.

Public testimony will only be allowed to address the accuracy of

revised plans.

Intent to take Discretionary Review and approve with Staff

Recommendations and the additional recommendation offered by

the project sponsor to reduce the height of the project.

Project will be brought back to the Commission for final action on

February 22, 2001.

AYES: Baltimore, Chinchilla, Fay, Salinas, Theoharis

NAYES: Joe

#### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

(1) responding to statements made or questions posed by members of the public; or

Minutes Page 14



- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

## Joe O'Donahue - Residential Builders

Re: Interference by the Legislative process into the administrative process

- Legislative aids to the Board of Supervisors have been calling the Director as well as employees.
- This is a total violation of union dues.
- Everyone is supposed to wait in line. No matter what position one has.
- He will be filing a complaint.

Adjournment: 8:05 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 22, 2001.



# SAN FRANCISCO PLANNING COMMISSION

## Minutes of Meeting

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place DOCUMENTS DEPT.

Thursday, February 8, 2001

1:30 PM

Regular Meeting

MAR 1 9 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

STAFF IN ATTENDANCE: Gerald G. Green - Director of Planning; Larry Badiner - Zoning Administrator; Sharon Young; Elizabeth Gordon; Michael Kometani; Rick Crawford; Tina Tam; Kenneth Chin; Matthew Snyder; Craig Nikitas; Dan DiBartolo; Patricia Gerber -Transcription Secretary; Linda D. Avery - Commission Secretary

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:36 P.M.

#### A. ITEMS PROPOSED FOR CONTINUANCE

1a. 2000.552XBCV (LIGHT: 558:6254) 199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the Separation of Towers requirement (Section 132.1(c)) and an exception to the Reduction of Ground Level Wind Current requirement (Section 148 (a)). The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of January 25, 2001) (Proposed for Continuance to February 45 22, 2001)

SPEAKER(S):

None

ACTION:

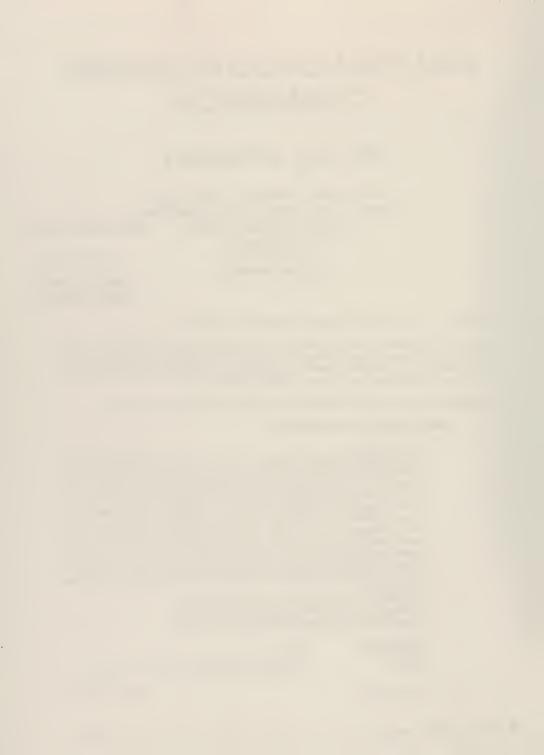
Continued as indicacted

AYES:

Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

2000.552XBCV 1b.

(LIGHT: 558:6254)



199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722.



Request under Planning Code Sections 320-325 (Office Development Limitation Program) for a 15-story, 150-foot tall building with up to 48,520 gross square feet of office space, approximately 100 dwelling units, 4,800 square feet of retail space, and 70 parking spaces, to be located on the site of an existing commercial surface parking lot. Pursuant to Planning Code Section 313, the Department has determined that the project would result in the net addition of approximately 48,520 square feet of gross floor area office use, requiring compliance with the Office of Affordable Housing Production Program. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of January 25, 2001) (Proposed for Continuance to February 45 22, 2001)

SPEAKER(S): None

ACTION: Continued as indicated

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

1c. 2000.552XBCV

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722. Request for a Conditional-Use authorization to allow non-accessory parking. The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces, to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of January 25, 2001) (Proposed for Continuance to February 45 22, 2001)

SPEAKER(S): None

ACTION: Continued as indicated

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

1d 2000.552XBCV

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - East side between and with secondary frontages on Natoma and Howard Streets, Lot 21, in Assessor's Block 3722 -- Request under Planning Code Section 140 for a Variance for dwelling unit exposure. The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces, to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

(Continued from Regular Meeting of January 25, 2001) (Proposed for Continuance to February 45 22, 2001)

SPEAKER(S): None

ACTION: Continued as indicated

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

2a. 2000.171CX

(MILLER: 558-6344)

466 BUSH STREET - north side between Grant Avenue and Kearny Street, Lot 42 in Assessor's Block 270. Request for Determination of Compliance pursuant to Section 309 with respect to a proposal to construct a ten-story Hotel



approximately 99 feet in height and containing approximately 91 guest rooms, also involving a request for exceptions to Planning Code standards for building height and bulk (Sections 263.8 and 272, et seq.) -- in a C-3-R (Downtown Retail) District and a 80-130-F height and Bulk District. Preliminary Recommendation: Approval with conditions (Proposed for Continuance to February 45 22, 2001)

SPEAKER(S): None

ACTION: Continued as indicated

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

2b. 2000.171CX:

(MILLER: 558-6344)

466 BUSH STREET - north side between Grant Avenue and Kearny Street, Lot 42 in Assessor's Block 270. Request for authorization of a Conditional Use for modification of a previously-imposed condition (time limit for start of construction -- Motion No. 14797) for a HOTEL containing approximately 91 rooms -- in a C-3-R (Downtown Retail) District and a 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Proposed for Continuance to February 45 22, 2001)

SPEAKER(S): None

ACTION: Continued as indicated

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

3a. 2000.1269RB

(BAUMAN: 558-6287)

INDIA BASIN INDUSTRIAL REDEVELOPMENT PROJECT AREA PLAN AMENDMENT - Request for a finding of consistency with the General Plan for an amendment to the Redevelopment Plan for the India Basin Industrial Park. The amendment would apply to Lot 23 in Assessor's Block 5203, 3433 Third Street. It would allow up to 50,000 gross square feet of Retail and Business Services uses (a category that includes business and professional offices) and would reduce the parking requirement to one space for each 1,000 occupied square feet of Business Services space, and one space for each 7,000 gross square feet of Telecommunication space. It would reduce the loading requirement to one space for each 100,000 square feet of Retail, Business Services, and Telecommunications space. This amendment would enable the construction of a proposed development at 3433 Third Street, which is a five-story building containing an approximately 111,000 square feet of telecommunications switching facility; 42,000 square feet of office space; 7,500 square feet of retail space; a 6,000-square-foot public plaza and 73 parking spaces.

Preliminary Recommendation: Find the proposed amendment of the Redevelopment Plan consistent with the General Plan.

(Proposed for Continuance to March 1, 2001)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

3b. 2000.1269RB

(BAUMAN: 558-6287)

3433 THIRD STREET - the proposal 3433 Third Street requires the authorization of up to 42,000 square feet of office space from the "Reserve for Smaller Buildings" established in Planning Code Section 321 (Office Development Annual Limit). This notice shall also set forth an initial determination of net addition of gross square feet of office space, pursuant to Planning Code Sections 313.4 and 314.4. The site is in the India Basin Industrial Park Redevelopment Area, and in the M-2 Zoning District and the 65-J Height and Bulk District.



Preliminary Recommendation: Allocate up to 42,000 square feet of office space from the "Reserve for Smaller Buildings."

(Proposed for Continuance to March 1, 2001)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

2000.677C 4.

(CHIN: 575-6897) 373 BROADWAY STREET - southeast corner of Broadway Street and Bartol Street; Lot 018 in Assessor's Block 0164: -- Request for Conditional Use authorization pursuant to Section 714.83 of the Planning Code to install a total of twelve antennas and a base transceiver station on an existing four-story over basement building, as part of AT&T's wireless cellular network in the Broadway (Neighborhood Commercial) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of January 18, 2001) (Proposed for Continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

5a.

2000.190BX (LeBLANC: 558-6351) 201 SECOND STREET, southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736, -- Request under Planning Code Sections 320-325 (Office Development Limitation Program) for a ten-story, 140-foot tall building with a total of approximately 45,000 gross square feet including approximately 35,000 square feet of office space and 8,000 square feet of retail and/or restaurant space. The project also includes approximately 860 square feet of open space. This project lies within a C-3-O (SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District. Preliminary Recommendation: Pending

(Proposed for Continuance to March 8, 2001)

None SPEAKER(S):

ACTION: Continued as proposed

Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas AYES:

2000.190BX 5b.

(LeBLANC: 558-6351)

201 SECOND STREET PROJECT - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under (1) Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the setback requirements of Section 132.1 of the Code for a ten-story, 140-foot tall building with a total of approximately 45,000 gross square feet including approximately 35,000 square feet of office space and 8,000 square feet of retail and/or restaurant space. The project also includes approximately 860 square feet of open space. This project lies within a C-3-O (SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

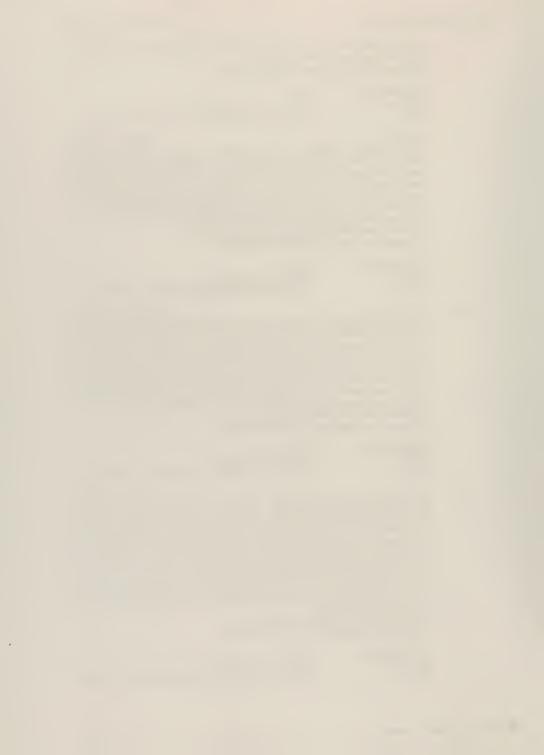
Preliminary Recommendation: Pending

(Proposed for Continuance to March 8, 2001)

SPEAKER(S):

Continued as proposed ACTION:

Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas AYES:



6. 2000.1118DDDD

(NIKITAS: 558-6306)

33 WALNUT STREET - between Pacific Avenue and Jackson Streets, Lot 002 in Assessor's Block 0972. Request for Discretionary Review of Building Permit Application No. 2000/05/01/9654, proposing to demolish existing rear deck and bay window, and to add a rear extension 19'-10" deep at the first floor and crawl space level below and extending 15'-10" deep at the second-story with a roof deck above and a new attic level dormer at the front of the house, in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve project as submitted

(Continued from Regular Meeting of January 18, 2001)

(DISCRETIONARY REVIEWS WITHDRAWN)

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption - draft minutes of January 18 and 25, 2001

ACTION:

Approved as corrected

AYES:

Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

8. Commission Matters

Theoharis:

Staff to work with Board of Supervisors' Land Use Committee. The Committee's meeting time conflicts with

Planning Commission's hearing time.

Cow Hollow Neighborhood Association has prepared specific neighborhood design guidelines. They are requesting a half-hour presentation before the Planning Commission on March 22. They ultimately are seeking

endorsement for their guidelines.

Report on letter from Joe Butler regarding 567 Sanchez St.

Chinchilla:

1) How much is available?

2) How much has been applied for?

3) Which projects are still vying for space now?

Staff to report on office allocation process:

Theoharis:

Requested that staff make a chart to reflect Commissioner Chinchilla's request regarding the office space allocation

program.

#### C. DIRECTOR'S REPORT

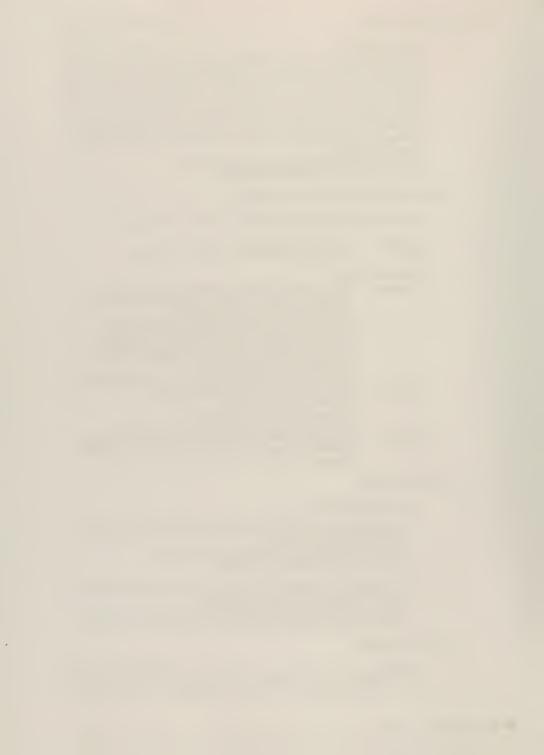
- 9. Director's Announcements
  - Will contact the Land Use/ Transportation Committee of the Board to discuss the scheduling conflict.
  - Letter from Mr. Butler will be referred to Isolde Wilson
  - Department Work Program and Budget
- 9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Job Housing Linkage Alternative Legislation

 Appeared before Housing Land Use and Transportation Committee to respond to the moratorium language that the Board was considering

#### D. REGULAR CALENDAR

11. 1997.433A (KOMETANI: 558-6478)
22 ALTA STREET - north side between Montgomery and Sansome Streets, Lot
34A in Assessor's Block 106. Request for Certificate of Appropriateness



authorization, under Article 10 of the Planning Code, to construct a new, oneunit, residential building, two-stories at the front (Alta Street) elevation and fivestories at the rear in the Telegraph Hill Historic District. The subject property is zoned RH-3 (House, Three-Family) District and is in a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of January 18, 2001)

#### SPEAKER(S):

## John Abbot, Project Sponsor

- Very pleased to have the support of the Telegraph Hill Neighborhood Association
- This property has very unique historical/ architectural attributes
- Took great care in selection of the design team to preserve the historical attributes of the property in perpetuity—in particular, the last held portion of the garden area.
- A conservation easement was deeded to the recently establish North San Francisco Land Conservancy--a new non-profit-public-benefit organization

## Ed McEachron, Project Architect

Gave an overall description of the project

## Gerry Crowley, former President Telegraph Hill Association

- Advised Planning Commission that Telegraph Hill Dwellers Association no longer opposes this project
- Pleased that the future conservation of the property has been assured
- Appreciated the generosity of the owner in reaching an agreement to donate a conservation easement
- Appreciated the guidance and directions of the Landmarks Advisory Board through this long process
- Thanked the neighborhood for caring deeply about this project, and their determinations to have positive solutions

ACTION: Approved

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

MOTION NO. 16086

#### 12. 2000.1099X

(CRAWFORD: 558-6358)

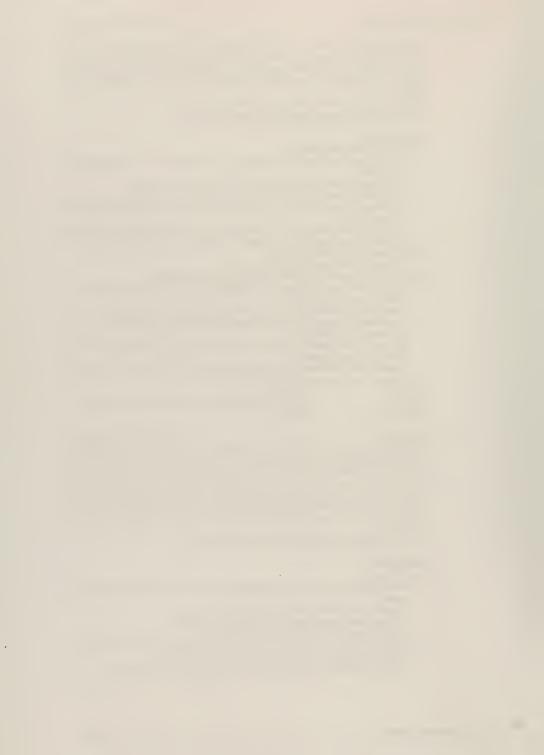
57 JESSIE STREET - Lot 020 in Assessor's Block 3708. Request under Planning Code Sections 309 Permit Review in C-3 Districts) for approval of Building Permit No. 2001/01/05/9328S, to construct a seven-story building with two basement levels; eighty- three (83) foot tall, 11,808 gross-square-foot mechanical services building to support the adjacent educational institution building of Golden Gate University. No exceptions under Section 309 have been requested. This project lies within a C-3-O (Downtown, Office) District and within the 500-S Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

#### SPEAKER(S):

#### Larry Haines

- Golden Gate University has been part of the City of San Francisco for many years
- Computer labs need to be in a better facility,
- The premises are outdated and need to be upgraded
- Present structure has reached maximum capacity
- Solution is to construct a silo building which is 88 feet long and 15 feet wide, rising floor by floor to the side of the Golden Gate building
- Need to integrate the existing facility with the new proposed building



**ACTION:** Approved per staff recommendations

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

**MOTION NO.** 16087

#### 13. 2000.591C

(TAM: 558-6325)

1701 37TH AVENUE - southwest corner of Moraga Street and 37th Avenue, Lots 1 and 5 in Assessor's Block 2012. Request for Conditional Use Authorization under Planning Code Section 209.3(g) for the reconstruction and expansion of an existing private elementary school (West Portal Lutheran School). The proposal is to demolish an existing one and two-story school building and construct a new, three-story school building, approximately 21,751 square feet. The proposal would expand the existing school size by adding two kindergarten classrooms and approximately 60 students and two teachers, totaling eight classrooms with a maximum student enrollment of 240. The property lies within an RH-1 (Residential, House, One-Family) District and 40-X Height and Bulk District Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

## Richard Hesselroth, Congregational President of West Portal Lutheran Church

- Church school is Kindergarten to the 8<sup>th</sup> grade
- Have reached maximum capacity
- Existing building was constructed in 1952
- Propose to convert building to be more effective; rebuild the sanctuary portion into classrooms
- New building would have suitably designed student classrooms
- All neighbors were notified correctly and timely
- All neighbor's concerns were addressed during different meetings
- No double parking will be allowed
- Made a request to the Department of Parking and Traffic to extend the white zone on 37<sup>th</sup> Avenue by 63 feet, for a total of 128 feet, this zone is available for general neighborhood parking when school is closed
- New building would include more suitable receptacles and fencing that would prevent and discourage objects, garbage, etc., from leaving their property.
   Garbage is picked up twice a week.
- New building would have a smaller ground level school. There will be a multipurpose room inside the building and a small yard on the roof facing Sunset Boulevard that will be noise proof

## Kendal Young, Project Architect

- Gave an overall description of the project

## (+) Reverend David Stachholz, Pastor

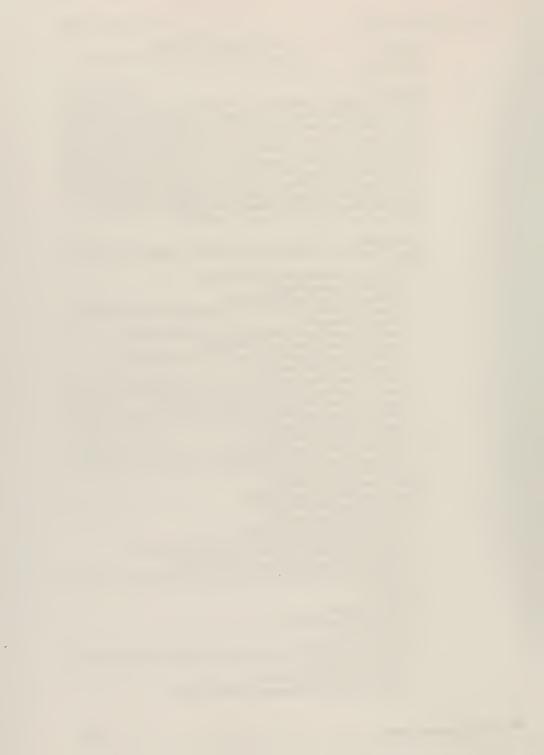
- We help serve the community
- The old building needs to be replaced
- A lot of people want to enroll their kids in the school
- Because of neighborhood concerns this project was scaled down
- We would like to keep good relation with the community
- We will have a new traffic plan, to improve the problems during drop-off and pick-up times

#### (+) Ed Wong

- Supports the project
- His children attend this school

#### (-) Kathleen Woo

- Lives close to the school
- Speaking on behalf of a lot of elderly people in the neighborhood that could not come to the hearing
- This project is totally out of character
- Adding more staff and children would obstruct the traffic



- Project should be scaled down to 2 stories
- Requested that the school build a fence in back of her property

## (-) Glenda Kop

- Referred to preliminary recommendation on calendar
- Hope that the commission take in consideration all the community concerns
- School will not be serving the needs of the children in the community
- Scale down this project
- Maintain the same number of students

## (-) Keith Kop

- Scope of this project would impact the neighborhood
- His family has been living there since 1956
- Noise is very loud
- They (school) are about business, not about teaching
- Scale back this project
- Will change the character of this beautiful neighborhood

#### (-) David Woo

- Live in property adjacent to the project
- All home owners in the neighborhood oppose this project
- Garbage is a very delicate issue. A lots of garbage is throw on his property
- Concerned about traffic. A lot of student's parents double park.
- Traffic is out of control

## (-) Gloria Gabancho

- Have lived in the Sunset for many years
- This school does not serve the community. A lot the children come from other neighborhoods
- Massive grow in the number of students
- No proper notification to neighbors

## (-) John Shanley

- Grew up on the neighborhood
- Dramatic increase with the traffic around the school
- School should compromise

#### (-) Mary Jenosky

- Lived in the area for 10 years
- Stable, quite, family oriented neighborhood
- Concerned about the size of the project
- This overwhelms the character of this neighborhood

#### (-) Francisco Figueroa

- Heard about the project 2 days ago
  - They are creating immense business in a residential area

#### (-) Sara Wong

Disapprove the preliminary recommendation because this project causes nuisances. Also, there will not be accommodation for traffic and parking.

ACTION: Approved

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

MOTION NO. 16088

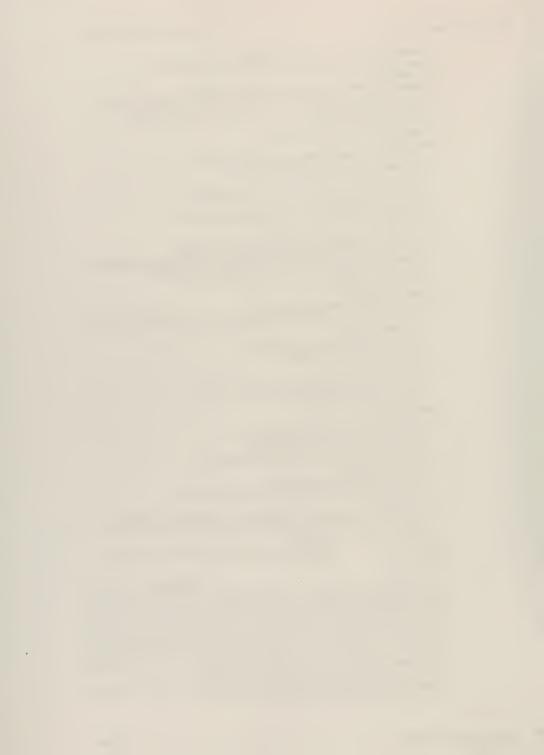
## 14. 2000.682C

(BRESSANUTTI: 575-6892)

290-296 VALENCIA STREET - northwest corner of 14th Street, Lot 10 in Assessor's Block 3533. Request for authorization to modify a prior conditional use authorization (Case No. 97.870C for 36 units of rental housing for seniors, including four affordable units, and 2,900 square feet of retail commercial space) to change (1) the occupancy of the units from rental to ownership and (2) the qualifying age from 62 to 55. All other aspects of the prior conditional use authorization would remain unchanged. The property is in a CM (Heavy Commercial) District, and a 50-X Height and Bulk District.

Preliminary Recommendation: Disapproval of change from rental to ownership;

approval of change in the age qualification.



#### SPEAKER(S):

## David Cincotta, Representing Project Sponsor

- When he first started working on this project one of the major issues was the change from rental to ownership
- Reduce the required age from 62 to 55. By doing this, it will increase those who can qualify
- This project is entirely privately financed. No Federal or State subsidized funding
- Rents for this project were approved by the Housing Authority

## (-) David Spirro

- Lived in the neighborhood for 24 years
- This set a bad precedent because they are charging such high rents
- Rent are over a \$1,000 a month for senior citizens
- We support affordable housing
- They should convert the lower level to retail/commercial use for non- profits

#### (+) Dennis Carlin, Jr.

- His family has invested all their life savings in this property
- Lived in the facility for his entire life
- There are currently eight Section 8 residents
- Renters are afraid of the neighborhood

ACTION: AYES: Approved
Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

**MOTION NO**: 16089

15. 2000.336C

(CHIN: 575-6897)

1610 SACRAMENTO STREET, north side of Sacramento near the northeast corner of Sacramento and Larkin; Lot 007 in Assessor's Block 0621:-- Request for Conditional Use authorization pursuant to Section 253 of the Planning Code to demolish a single family dwelling and construct a five-story, 50 foot tall, eight unit building, in a RM-3 (Residential, Mixed, Medium Density) Zoning District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

## SPEAKER(S):

## John Sanger, Representing Project Sponsor

- Submitted letters of support to the Commission
- Only reason this conditional use authorization is before the Commission is because section 253 of the Planning Code provides an opportunity to determine whether buildings in excess of 40 feet are appropriate
- in residential areas that are zoned RM-3 and R-4. Based on the surrounding buildings, this building has been scaled appropriately for the neighborhood.
   (+) Joe O' Donaghue, Residential Builders
- This project is not a live work, these are condominiums
- This is a good project for this area

#### (+) Maurice Sakin

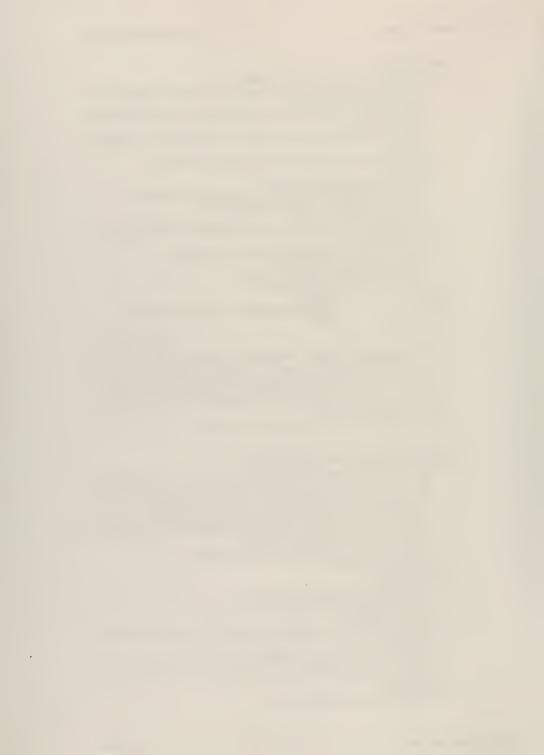
- Supports the project
- Preserve the character of the neighborhood
- There will not be traffic congestion

## (-) Unknown Speaker

- Impact of demolition and construction would be very detrimental to the neighborhood
- No appropriate notification to the neighborhood
- Construction of this building will not help the housing shortage in San Francisco

## (-) Dick Millett

Concerned about affordable housing



- There are no rental units being built in the City
- All new buildings are condominiums

#### (-) Unknown Speaker

This site is a very historical building

It is very unfortunate that this building is going to be demolished

ACTION: Approved

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe

NAYES: Salinas MOTION NO.: 16090

16. 2000.1105C

(M. SNYDER: 575-6891)

128 TEXAS STREET - west side between 17th and Mariposa Streets, Lot 32 in Assessor's Block 3985 -- Request for Conditional Use authorization to establish one artist live/work unit in an existing building, currently being used as an artist studio, in an M-1 (Light Industrial) District, a 40-X Height and Bulk District, and an Industrial Protection Buffer Zone. The new live/work unit would include approximately 3,000 square feet of floor area. The proposal includes enclosing the area in front of the building behind a 12-foot tall fence and gate; no addition to the existing building is being proposed.

Preliminary Recommendation: Approval with conditions

## SPEAKER(S):

#### (+) Toffi Delayne, Artist

- Owned property since 1982
- Practicing artist, her work can be seen around the City
- Seeking permission to live and work at this existing studio
- As an artist, would like to have the direct and constant access to her work

#### (+) Brett Gladstone, Representing Project Sponsor

- Difficult for artist to find a place that they can afford in the City
- This is a project the whole City would be happy to see
- This project is in a Buffer Zone
- There is not going to increase the building envelope. There are just 3 partitions inside separating kitchen, bath and working area. A fence has been put in the front yard to screen the outside parking space from the street
- There is 3,000 square feet of foyer and it's not being increased
- All neighbors are in support for this project

## (-) Dick Millett, Potrero Hill

- What kind of precedent will this set in the future if they want to tear this out and put a standard live work in?
- This is one of many other projects like it that have been build in this area

ACTION: Approved

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

**MOTION NO.** 16091

17. 2000.824C

(YOUNG: 558-6346)

1351 GRANT AVENUE - west side between Vallejo and Green Streets; Lot 002 in Assessor's Block 0131. Consideration of the possible revocation of conditional use or the possible modification of or placement of additional conditions per Planning Code Section 303(f) of a prior authorization to allow the establishment of a full-service restaurant and bar, approximately 3,400 square feet in floor area, within the North Beach Neighborhood Commercial District and 40-X Height and Bulk District. The proposal is to consider revocation, modification, or placement of additional conditions on a conditional use authorization approved on December 17, 1998, for the conversion of a vacant commercial space, the former Figoni Hardware Store, into a full-service restaurant and bar, per Planning Code Sections 722.41 and 722.42. The proposed full-service restaurant and bar is located on the ground floor level of an existing three-story residential over



18.

commercial building. The proposal was approved under Building Permit Application No. 9912999. There have been unresolved complaints from the community in relation to the construction and operation of the facilities and the possible eviction of residential tenants within the building.

Preliminary Recommendation: Planning Commission to schedule a subsequent hearing to consider the revocation, modification, or placement of additional conditions on the conditional use authorized in Motion No. 14785 under Case No. 1998.243C.

(Continued from Regular Meeting of December 7, 2000)

#### PROJECT WITHDRAWN

#### E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:23 PM** the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

2000.354D (GORDON: 558-6309) 1775 QUESADA STREET - Building Permit Application No. 200012087607, south west side of the street between 3rd and Newhall Streets, Lot No. 034 in Assessor's Block 5338. Request for Discretionary Review to revise Building Permit Application No. 9718416, for construction of two new dwelling units on two floors with a mezzanine level on a vacant lot. The proposed revisions would allow an increase in the overall height of the structure by 1.85 feet (from 27.65 feet), an increase in height at the front facade by 1.5 feet (from 27.5 feet to 29 feet), and an increase in the maximum roof elevation of the building by .85 (from 35.65 feet to 37.5 feet). The work proposed under Building Application No. 9718416 has been permitted by both the Planning Department and Department of Building Inspection, but not yet built. The project site is within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.

(Continued from Regular Meeting of January 25, 2001)

#### SPEAKER(S):

#### John Sanger, Project Sponsor/ DR requestor

- Filed Discretionary Review to expedite hearing on a project that has an existing foundation and to ensure an opportunity for Ms. Bender to file and withdrew her DR
- Project complies with the Planning Code and Residential Design Guidelines independently of any agreement
- This case could be confusing because of the different methods of measuring provided under the Planning
- Modifications are required one way or the other
- Plans have been revised to reduce the roof elevations
- Maximum roof elevation would go up 1.85 feet
- As mentioned in the Code, this is substantially less than the permitted building envelope in this district
- The only issue is the affect on Ms. Bender's view, which is the issue she raised on her first DR
- Second issue is streetscape consideration under the Residential Design quidelines
- Building has been designed to be higher than the building on the down hill portion of the street, and lower than the building on the up hill portion by 3.9 feet on the left and 1.2' on the right
- In response to the neighbors, suggested that the elevation be modified, eliminating the perceptual difference on the first and second floor
- Project has substantial neighbors support



## (+) Jacqueline Pitcher

- Homeowner in the neighborhood
- Empty lot has been there for sometime. It is a haven for drug dealers
- It is completely open for anybody to come and do anything
- Police Department has been notified
- Our neighborhood would much safer with a building on this lot
- This will upgrade the neighborhood

#### (+) Tom Delante

- Recommend that the Commission approve the revised permit
- Construction has been going on since 1997, no work has been done since last August
- It is very unsightly right now
- Would like to see this project finalized
- Main concern is to have construction start again

#### (+) Ian Warner, Project Sponsor

Presented a letter from Lu Shamp in support of the project

## (+) Joe O'Donaghue

- Project Sponsor bought a set of approved plans, he didn't make up these plans, and was not aware of a private agreement.
- When private agreements are made they should have some method of recordation to validate them.

## (-) Christine Bender, DR requestor

- Drawings should be more specific
- Asked to withdrawn her DR in 1987, because Planning Department did not see any ambiguity
- Here today to asked and respect the time and money that was put in this
  project and honor the agreement
- Agreement between owner
- Submitted several documents: 1) Proposed elevations under the current height restriction; 2) What the building will look like with the new height; 3) Maps of neighbors in support
- Was offered \$10,000 by Mr. Warner
- Sympathize with everyone that wants a building to be constructed on that site
- Her fence has been torn down
- Mr. Warner does not care about anybody or the neighborhood, he only wants to build his way

#### (+) Patrick Decent

- Mr. Warner attached and painted things to and on his property
- Mr. Warner has attach gutters to my property
- Mr. Warner is not being cooperative

**ACTION**: Do not take Discretionary Review and approve with instructions that staff continue to work with sponsor on design

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

#### 19. 2000.654D

(YOUNG: 558-6346)

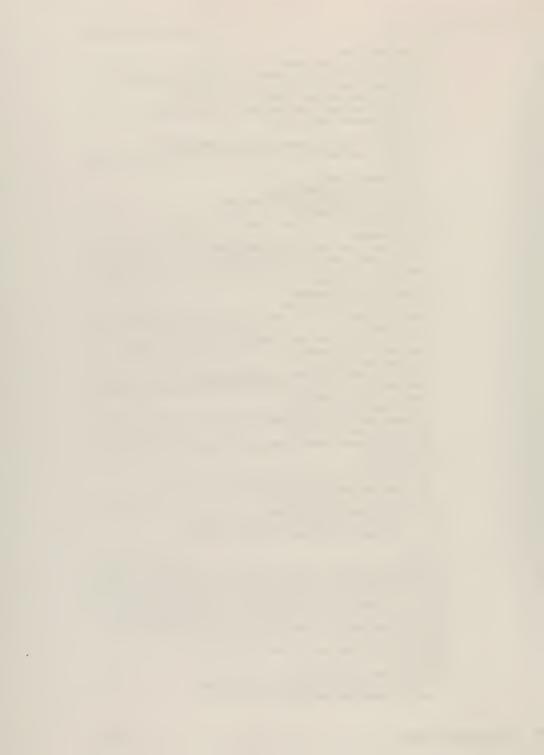
412 LOMBARD STREET - north side between Grant Avenue and Stockton Street, Lot 010 in Assessor's Block 0062. Request for Discretionary Review of Building Permit Application No. 2000/03/03/468 to construct a two-story vertical addition to an existing one-story over basement single-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve Project with modifications

(Continued from Regular Meeting of January 18, 2001)

#### SPEAKER(S):

## (-) Charles Thomas, DR Requestor

- There are some problems with the permit application
- Lack of neighborhood notifications



- There are some dimensional discrepancies and inconsistencies
- No demolition permit has been taken out, despite the fact that every aspect of this structure is been changed from the foundation to the roof
- Excessive height
- Does not incorporate any lightwell
- Cast a shadow on his buildings
- Would block their view, light
- Propose 6 foot light well deep into his property
- bulk and height would block all light on the site and much of the light on the back
- minimize the bay windows
- Support some of the suggestions brought to you today, and there a many more ways to work this out

#### (-) Unknown Speaker

- Lived in the area for 40 years
- 4 of his windows would be blocked completely
- Never was asked about this building No notification
- Blocking all his windows
- Sun deck would be blocked No light

#### (-) Craig Dakino

- Property is directly behind his apartment
- No notification regarding the project
- During the whole process there have been so many discrepancies
- Windows would be completely dark
- No sunlight

#### (-) Barbara Fong

- Lives adjacent to the proposed project
- Her property would be affected by this construction
- No proper notification
- There were some issues that plans were going to be changed
- This request should be denied
- Height limit should be limited to the current height to preserve the light and quality of life for the neighbors

#### (-) Dennis McElrath

- Live across the street from the project
- Concerned about how this project should step up the hill
- Should be parallel with the rest of neighborhood
- Materials used are not the character of North Beach
- Roof structure is outside the residential design guidelines

#### (+) Ahmad Mohazed, Project Architect

- Will contact neighbors and address their concerns
- There has been some interaction with neighbors, all were contacted
- Remove off the penthouse
- This project is within the Residential design guidelines
- Bay windows concern is something they will take under advisement with staff
- He will pick a material that will match the other buildings
- It won't change the character of the neighborhood
- Lightwell, is it appropriate?

## (+) Marsha Garland, Executive Director of the North Beach Chamber of Commerce

- Owner has amended the project several times to try to find a situation for everyone to be satisfied.
- Owner should have an opportunity to build his home that will a pleasure for him to live in

#### (+) Stephano Casalaro

- Owner has not been too ambitious with this project
- As long as he follows the law, he should go ahead with the project



#### (+) John Sanger

- Owner of building across the street
- Neighbors were notified
- Project is very well designed
- It is truly sad if the materials are changed. What is proposed is modern. The neighborhood has a mixture
- It is a nice break
- DR requestor has no right to request a DR, he has violated the law

#### (+) Jessie Jones

- Live about two block from property
- Issues raised about light, view, material to be used in the addition—these are very trivial, minor considerations, and should be taken into consideration after approving the project.

#### ACTION:

Take Discretionary Review and approve as modified:

- 1) 10 foot set back on top floor
- 2) Staff & Sponsor to continue to work on design and material; 5 foot side yard setback on 3<sup>rd</sup> floor
- 3) If spiral staircase were not in the building code then no penthouse structure would be allowed
- 4) Lightwell for top floor only

AYES:

Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

#### 20. 2000.877D

(NIKITAS: 558-6306)

240 - 16TH AVENUE - east side between California and Clement Streets, Lot 037 in Assessor's Block 1418, Request for Discretionary Review of Building Permit Application No.2000/04/01/6104 proposing to add a new fourth story and a four-story extension to the rear of the existing building, and to reconfigure the building interior to create a second living unit in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and modify project per staff recommendations.

(Continued from Regular Meeting of January 18, 2001)

#### SPEAKER(S)

#### (-) Virginia McGowan, Discretionary Review requestor:

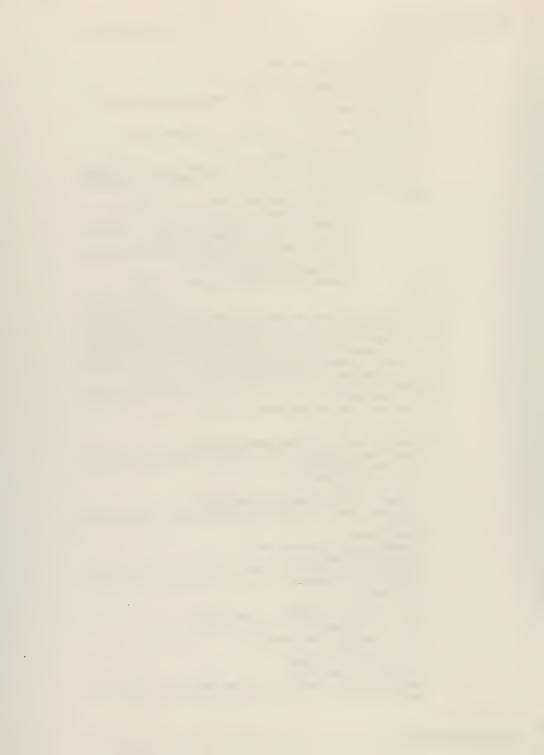
- Property owner parked about 5 cars in front of the property and takes the spaces from other neighbors
- There are no other rentals units
- There are no setbacks
- Need space to build their fences and maintain them
- Ground floor behind the parking area would contain a complete studio apartment

#### (-) Unknown Speaker

- Substantial reductions should be made
- Concerned about parking
- A building of this size would be occupied by more people and there will be less parking spaces available

#### (-) William Marraike

- Family has lived there for 40 yrs.
- After the 1906 earthquake, SF City provided cottages
- This is a family neighborhood
- In 1980, the last cottage was demolished
- There is no rent control
- All families have 2 or 3 children
- Economic factors have changed
- They are remodeling excessively and they are changing the character of the neighborhood



#### (-) Unknown Speaker

- A wall would be in his bay window and would block the light to his dining room
- Object to the proposed construction and hope the commission will review the plans
- Compromise

#### (-) Michael McDowell

- Proposed changes
- Concerned about the foundation
- Concerned about violation of building codes

#### (-) Luci

- Supports a request for a setback of the fences
- This would set a bad precedent for future constructions

#### (-) Eunice Lee

- This causes major harm to their property
- Sunlight is very important for her
- Opposes this project
- It is unfair to let this kind of construction happen in the City

#### (-) Unknown Speaker

- Live across the street from project
- Sympathize with the neighbors objections
- Blocks the sunlight

#### (+) Project Sponsor

- People in SF can not afford to buy homes
- Tried many times to solve differences with neighbors
- He was threatened by a neighbor
- Scope of work should be revised again

ACTION: Take Discretionary Review and approve with modifications AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

#### 21. 2000.428D

(NIKITAS: 558-6306)

1615 BRODERICK STREET - west side between Sutter and Bush Streets, Lot 002 in Assessor's Block 1053, Request for Discretionary Review of Building Permit Application No. 2000/10/06/2475 proposing to remodel an existing Group Home in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve permit with conditions.

#### SPEAKER(S):

#### (-) Rick Hoed, DR requestor

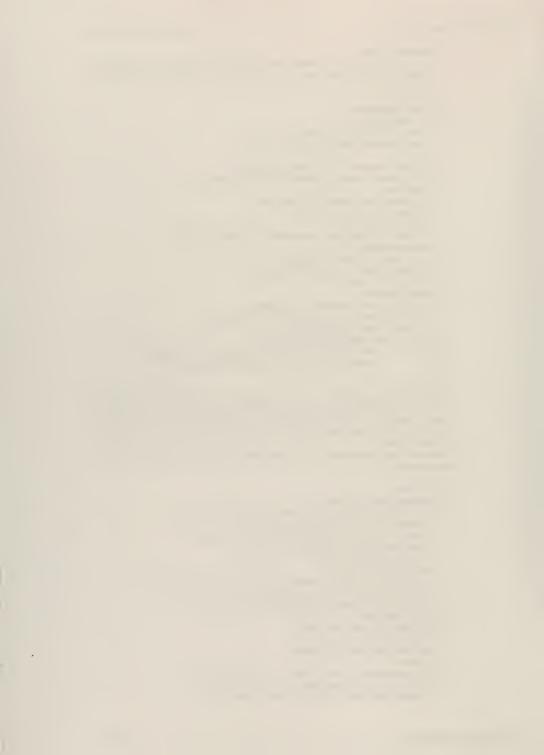
- Do not oppose project but request some changes be made
- Provide a safe environment to our clients
- 19 percent of home care facilities are located in this area
- Concerned about the relation with the Sponsor
- Security is a major concern
- Trash in their back yard
- Sponsor does not seem to care about the character of the neighbor
- A list of considerations have been issued
- Agreement should be made between the parties concerned

#### (+) Patricia Vaughey

- Were the back steps built legally?
- An inspection should be done
- There are serious health hazards

#### (-) Lee Hood

- Concerned about illegal Activities around the empty house
- Stairs were altered 7 year ago
- Concerned that stairs are not fit to use in case of a fire



- Only asking that stairs should be placed within the property line
- Re-design should be revisited

#### (-) Frank Case

- Concerned that there is not enough insulation for noise control
- Their quality of life would be affected

#### (-) Jim Vale

Is there a way to find out if the stairs where legally built?

#### (+) Unknown Speaker, Representing property owner

- There were several considerations examined
- Felt this was the best way to make use of their back yard

#### (+) Sharon Holmes

- There are rules in the home to keep our clients quiet
- Our clients have been harassed by many neighbors
- Made several concessions

#### (+) Ron Case, Architect

- The front stairs are badly in need of repair
- Back stairs were rebuild in 1994
- Permit was issue and approved
- At the time the stairs were rebuilt, they were code compliant

#### (-) Tom Katz

- There should be some design solutions
- Residents in the back should not be able to climb onto his property

#### (+) Richard Rilev

- There are no life safety issues
- Urge the Commission to approve the project

ACTION:

Do not take Discretionary Review and approve permit as submitted

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

#### 22. 2001.0078D

(DiBARTOLO: 558-6291)

1831-37 STOCKTON - west side between Lombard and Greenwich Streets, Lot 005 in Assessor's Block 0076. Request for Discretionary Review of Building Permit Application No. 2000/10/12/2890, to convert a four-unit building to a threeunit building in an RM-1 (Residential, Mixed-Low Density) District and a 40-X Height and Bulk District. Specifically, the proposal will merge two dwelling units on the third floor. No exterior alterations are proposed.

Preliminary Recommendation: Do not take Discretionary Review, approve building permit as submitted

#### SPEAKER(S):

#### (+) Michael Evans

- Appreciates the Commission's effort to help the affordability of homes in the Citv
- His property is a small building

ACTION:

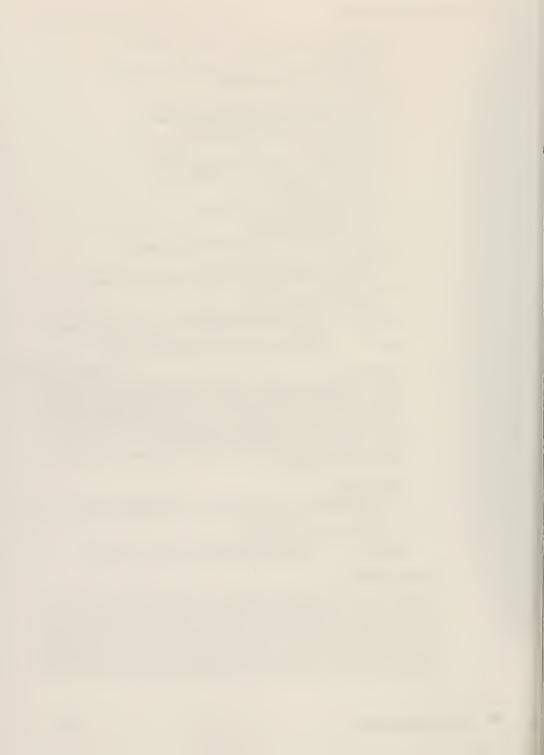
Continued to March 1, 2001

AYES:

Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

#### F PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the



Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S): Patricia Vaughey

Re: 1615 Broderick Street

Adjournment: 7:50 P.M.



255 = 10 2/15/01

# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, February 15, 2001

1:30 PM

DOCUMENTS DEPT.

ar Meeting MAY 1 5 2001

SAN FRANCISCO PUBLIC LIBRARY

**Regular Meeting** 

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Costolino Hogan; Hillary Gitelman; Leslie Buford; Joan Kugler; Ricardo Bressanutti; Rick Crawford; Sailesh Mehra; Michael Smith; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1a. 2000.863<u>B</u>V

(WONG: 558-6381)

2712 MISSION STREET - west side, between 23rd and 24th Streets, Lot 003 in Assessor's Block 3643. The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831 gross-square-foot building into a 30,847 gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of January 25, 2001) (Proposed for Continuance to February 22, 2001)

SPEAKER(S): None

ACTION: Continued to February 22, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla



1b. 2000.863BV (WONG: 558-6381)

2712 MISSION STREET - west side, between 23rd and 24th Streets, lot 003 in Assessor's Block 3643. The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

(Continued from Regular Meeting of January 25, 2001) (Proposed for Continuance to February 22, 2001)

SPEAKER(S): None

ACTION: Continued to February 22, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

2. 2000.1310C (DiBARTOLO: 558-6291)

1268 GRANT AVENUE - southeast corner of Grant Avenue and Vallejo Street; Lot 044 in Assessor's Block 145. Request for Conditional-Use Authorization to allow amplified live and recorded music (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing full-service restaurant and bar, d.b.a. Basta Pasta, as required by Planning Code Section 722.48, in the North Beach Neighborhood Commercial Zoning District and a 40-X Height and Bulk District

Preliminary Recommendation: Approval with conditions

(Proposed for Continuance to March 1, 2001)

SPEAKER(S): None

Continued to March 1, 2001 ACTION:

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

3. 2000.1108C (TAM: 558-6325)

3995 ALEMANY BOULEVARD - south of Alemany Boulevard, between Worchester Street and St. Charles Avenue, Lots 3 in Assessor's Block 7126A Request for Conditional Use Authorization under Planning Code Section 713.21, 713.27, and 121.2 for the proposed establishment of a fitness center (Bally Fitness), approximately 25,792 square feet in size, operating between 5:00 a.m. to 12:00 midnight, in an NC-S (Neighborhood Commercial-Shopping Center) District and 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Proposed for Continuance to March 15, 2001)

SPEAKER(S): None

Continued to March 15, 2001 ACTION:

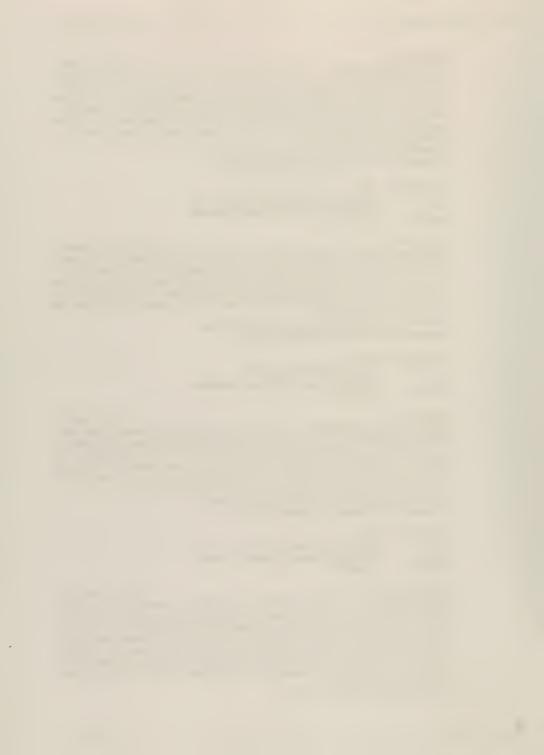
AYES: Baltimore, Fay, Joe, Salinas, Theoharis

Chinchilla ABSENT:

4. 2000.1033D (SMITH: 558-6322)

4328 20th STREET - Lot 016, in Assessor's Block 2697. Request for Discretionary Review of Building Permit Application No. 2000/08/01/6694 proposing to raise the existing building two feet to construct a new garage and rooms at the basement level and construct a two-story rear addition that projects 13'-6" beyond the existing rear building wall. The proposal also includes constructing two new decks at the rear of the addition, constructing a new dormer on the fourth floor, and infilling the walkway that leads to the service entry on the side of the building in an RH-3 (House, Three-Family) District; and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending



(Continued from Regular Hearing of January 11, 2001) (Proposed for Continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

Commission Matters None

#### C. DIRECTOR'S REPORT

6. Director's Announcements None

- 7. Review of past week's events at the Board of Supervisors and Board of Appeals BOS:
  - Supervisor Maxwell has requested a meeting regarding "server farms" as well as the environmental review process. Gerald Green, Planning Department Director and Hillary Gitelman, Environmental Review Officer; will attend this meeting.

- The Board passed a six-month moratorium on live/work projects.

BOA:

None

8. (BADINER: 558-6350)

240 -16th Street - Status Report

SPEAKER(S): None

ACTION: Without hearing, continued to February 22, 2001 AYES: Baltimore, Fay, Joe, Salinas, and Theoharis

ABSEBT: Chinchilla

Note: The following item was taken out of order. Voted on after Public Comment.

9. (BADINER: 558-6350)

Discussion of Planning Code Requirements for Bay Windows

SPEAKER(S): None

ACTION: Without hearing, continued to February 22, 2001
AYES: Baltimore, Fay, Joe, Salinas, and Theoharis

NAYES: Chinchilla

#### D. REGULAR CALENDAR

10. (HOGAN: 558-6610)

REVIEW AND COMMENTS ON THE PLANNING DEPARTMENT 'S PROPOSED WORK
PROGRAM AND BUDGET FOR 2001-2002.

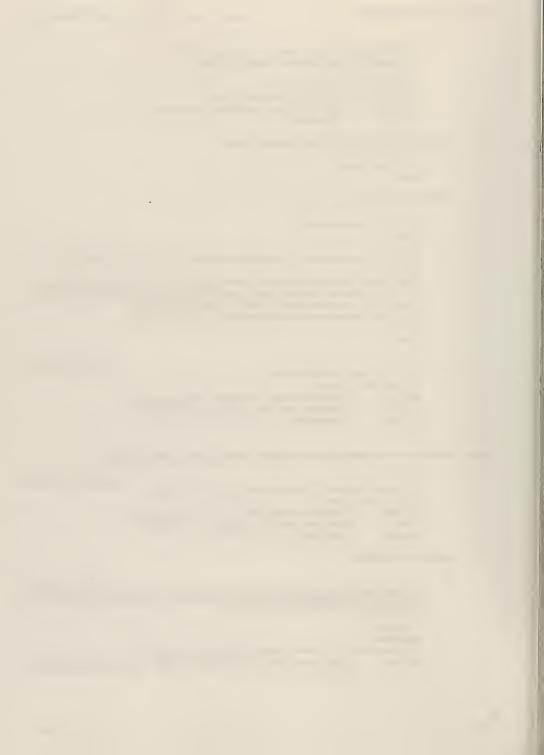
SPEAKER(S):

Mark Riser

- The pilot project will give the Planning Department valuable tools.

ACTION: Continued to February 22, 2001 for action. Public comment remains open.

Minutes Page 3



11. 2000.613E

2000.613E

GITELMAN: 558-5977)

BATTERY STREET HOTEL - Hearing on the Draft Environmental Impact Report (EIR). The proposed project would demolish three existing structures at 425-427 Battery Street and 418 Clay Street, and would construct a new 11-story mixed use building on a 14,025 square foot site in downtown San Francisco (Assessor's Block 206, Lots 3, 4, and 5). The new building would include about 17,700 square feet of retail space, and up to 348 hotel rooms. The hotel, called Club Quarters, would be a private business hotel for exclusive use of member organizations. Off street loading would be accessed from Merchant Street. No off-street parking would be provided on site. Note: written comments on the Draft EIR will be accepted at the Planning Department offices until the close of business on February 20, 2001.

Preliminary Recommendation: No Action Required

#### SPEAKER(S):

#### (-/+) Stephen Kim

- He owns a company adjacent to the proposed project.
- He has concerns and is working with the project sponsor.

#### (-/+) Christopher Cole

- His building is a two-story building next to the proposed site.
- He also has concerns and issues and is working with the project sponsor.

#### (-) Alexander Sidle

- He is one of the tenants of the proposed project.
- He was interested in the portion of the EIR related to jobs and displacement.
- He would like to have these concerns addressed.
- The EIR states that there are about 100 tenants when there are actually about 300.
- The project has low proposed employment.
- Displacement of jobs in downtown is very significant.

#### (-) Roger Brandon

- This is across the street from a popular hotel as well as another hotel about a block away.
- There is no point in this project since there are quality hotels close by.

#### ACTION: Meeting held. No Action Required

12. 1997.478E (WYCKO: 558-5972)

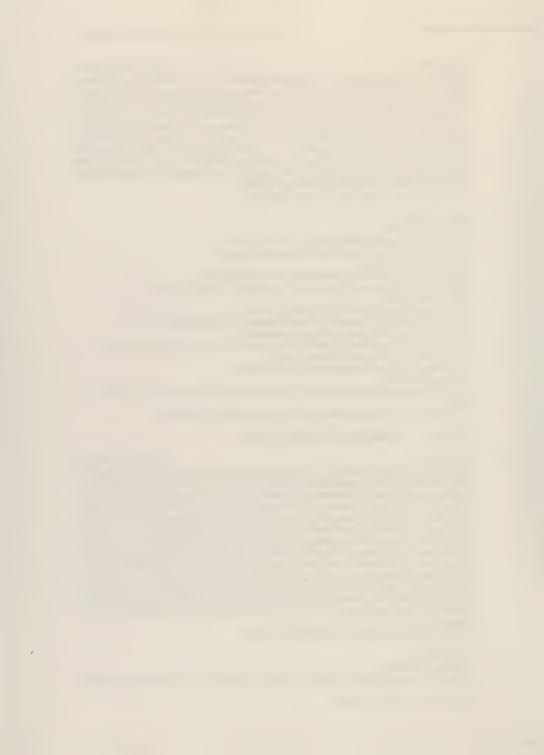
525 GOLDEN GATE AVENUE - CITY ADMINISTRATION BUILDING - Certification of Final Environmental Impact Report (FEIR). The project involves the demolition of an existing, vacant State of California office building and construction of a new building for City offices on City-owned property at the southwest corner of Polk Street and Golden Gate Avenue on Lot 1 of Assessor's Block 766 in the San Francisco Civic Center area. Two options are under consideration: Option A would entail construction of a 14-story, 181-foot-tall building containing about 255,500 square feet of office space, while Option B would consist of a 12-story, 156-foot-tall building containing about 215,000 square feet of office space. Each option would include two basement parking levels containing about 100 spaces (corresponding to about 140 spaces with valet operations). The project would require a height reclassification (amendment of the height and bulk designations in the zoning maps and General Plan maps) of the site to accommodate the proposed building and will also seek a Variance from the Planning Code for on-site parking and loading.

Preliminary Recommendation: Certification of FEIR

#### SPEAKER(S):

#### (-) Diane Cramton

- There is an environmental impact in regards to shadows on the learning center close by.
- Children need to have sunlight.



#### (-) Brother Cohen

- The zoning for this area does not allow such a tall building.
- This will cause an environmental impact on the learning center.

- The building should not be so tall.

#### (-) Michael Levin

- He does not have problems with the project except that any City building ought to set an example to all the developers.
- If there is any significant change to the building from the photo on the report, there should be a supplemental EIR written.
- This is an important building in an important location.

#### (-) Roger Brandon

- This building is located behind the courthouse.
- He does not see the purpose of developing another government building.
- This building is not good for the City and people should be against this project.

ACTION: EIR Certified

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla MOTION: 16092

13. 1999.377E

(BUFORD: 558-5973)

SAN FRANCISCO SOUTHERN WATERFRONT - Certification of Final Supplemental Environmental Impact Report (FSEIR). All of these proposed uses and future development assumptions, as summarized below, constitute the project analyzed in the Supplemental EIR: Coach USA (bus storage and repair) at a Pier 94-96 location; British Pacific Aggregates (bulk cargo and concrete and asphalt batching plant uses) at a Pier 94-96 location; Kaiser Bode/Mission Rock (concrete ready-mix facility and bulk cargo use) proposed for relocation from Mission Bay to Pier 92; ISG Resources (import, storage, and transloading of fly ash, slag, and other constituent elements for concrete) proposed at the Pier 90 grain silos; USA Waste (construction material recycling) proposed for relocation from Candlestick Point; RMC Lonestar (concrete ready-mix facility, including bulk cargo barge and rail transport), proposed for relocation from Mission Bay to a Pier 80 location; construction of a lift-segment Illinois Street bridge between Piers 80 and 90-92 to allow rail and truck transport between Port facilities on either side of Islais Creek; cargo shipping contracts (containerized and non-containerized cargo shipping) on Piers 80 and 94-96; unspecified development of approximately 50 acres of Pier 90-94 Backlands for mixed light industrial and commercial uses; Pier 70 Maritime Reserve (unspecified general industrial and maritime industrial uses on approximately 55 acres); and Pier 70 Opportunity Area (unspecified development of about 16 acres for mixed-use commercial, public access and recreational maritime uses). Preliminary Recommendation: Certification of FSEIR

SPEAKER(S): None

ACTION: FSEIR Certified as modified by staff: point out relevant mitigation

measures that address dust.

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

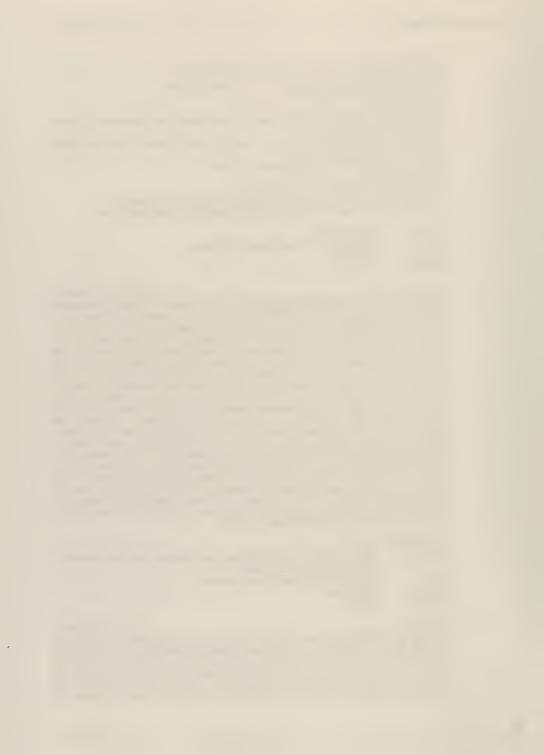
ABSENT: Chinchilla MOTION: 16093

14. 2000.594E

(KUGLER: 558-5983)

150 POWELL STREET- Assessors Block 327, Lot 22, southeast corner of Powell and O'Farrell Streets. Appeal of a Preliminary Negative Declaration for the proposed project that would demolish three existing buildings, one to three stories tall, fronting on O'Farrell Street (171, 179, 181 O'Farrell St.) and would retain and renovate the 150 Powell Street building including the construction of a new seven floor addition to 150 Powell Street structure on the O'Farrell Street lots. Three floors would be added to a

Minutes Page 5



portion of the 150 Powell building. The proposed project would be an increase of about 35,900 gsf of retail space and about 19,100 gsf of office space. The renovated and remodeled building would be about 105 feet tall. The Elevated Shops Building is a Category IV (Contextual Importance) building. The project site is in the C-3-G zoning district and an 80-130-F Height/Bulk district.

Preliminary Recommendation: Uphold Preliminary Negative Declaration.

#### SPEAKER(S):

#### (-) (Name unclear) - Representative of appellant

- He would like to request a continuance since his partner is in India. The appellant had to travel to India because of family matters. The appellant was scheduled to be here for the hearing but he has been delayed in India.

ACTION: Do not continue case.

AYES: Fay, Joe, Salinas, Theoharis

NAYES: Baltimore ABSENT: Chinchilla

#### (-) (Name unclear) - co-appellant

- There is an issue regarding parking and the loading dock in front of his building.
- There will be 28 windows, which will be completely blocked by the proposed project.
- He hasn't had time to look completely at the reports.

#### (+) Steve Atkinson - Baker and McKenzie - Representing project sponsor

- This negative declaration was prepared by a very experienced consultant and was reviewed thoroughly by the Department. A firm of great experience prepared the transportation study. The report totally meets CEQA standards.
- The appellant owns a vacant building adjacent to the proposed project. None of the issues raised in the appeal are meritorious.
- The sponsor is seeking an exception of the off-street loading requirement but this will be brought to the Commission in a future hearing.
- Regarding the loading dock, the negative declaration states that there is no impact on loading with or without an off-street loading. Much of the loading will be done in the storefront and with limited hours.
- Regarding the property-line windows, there is no impact since the code allows for this type of construction.

ACTION: Preliminary Negative Declaration Upheld AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla MOTION: 16094

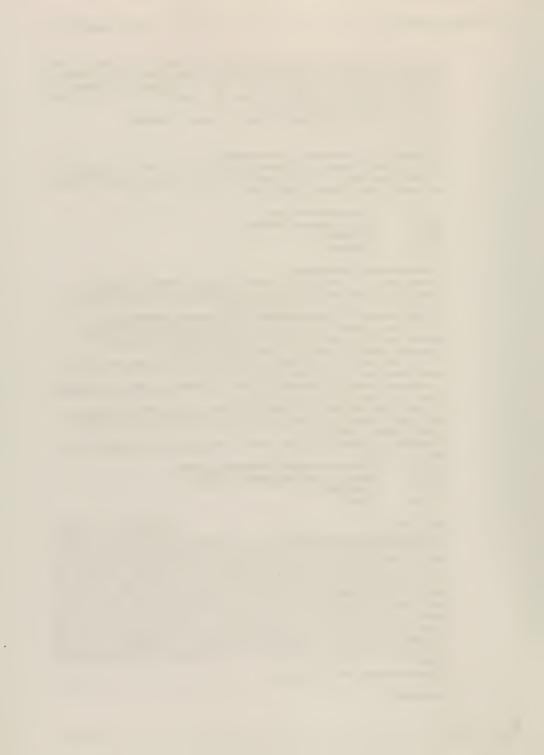
#### 15. 2000.1179C

(BRESSANUTTI: 558-6892)

366-368 SOUTH VAN NESS AVENUE - west side between 14th Street and 15th Street, Lot 61 in Assessor's Block 3616 - Request for Conditional-Use Authorization to enlarge a two-unit residential building, requiring Conditional-Use Authorization for dwelling units in a C-M District per Section 215(a) of the Planning Code. The proposal is to increase the floor-to-ceiling height of the ground floor by 6'-6" and to raise the upper stories of the building to accommodate the taller ground floor. Although there would still be a total of three stories, the overall height of the building would be increased from the existing height of approximately 32'-0" to approximately 38'-6". In addition, the ground floor would be extended to the rear property line and the facade of the building would be modified. No change in the number of dwelling units is proposed. The project is within a C-M (Heavy Commercial) District and a Mixed Use Housing Zone, and a 50-X Height and Bulk District.

Preliminary Recommendation: Approval

SPEAKER (S):



#### (+) Tony Pantaleoni - Project Architect

- He and the owner of the building are here to answer any questions.

ACTION: Approved with conditions as drafted AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla MOTION: 16095

#### 16a. 2000.1248C

(CRAWFORD: 558-6358)

<u>2 ROWLAND STREET</u> - Assessor's Block 0163 Lot 027 Request under Planning Code Sections 714.10 and 253.1 for conditional use approval for a building greater than 40 feet in height in a 65-A-1 Height and Bulk District. This project is for the demolition of the existing one story storage building on the property and construction of a five-story, 52-feet tall building that will contain three residential units with ground floor parking. This project lies within the Broadway Neighborhood Commercial District and within the 65-A-1 Height and Bulk District.

Preliminary Recommendation: Approval with Conditions.

#### SPEAKER (S):

#### (+) Bruce Baumann - Rep. of the project sponsor

- The project is exempt from environmental review and there are no shadow impacts.
- The benefits to the project and mid-block open space are that the project has a rear yard instead of a side yard. The project is consistent with the policies regarding mid-block open space.

## (+) Alice Barkley - Attorney for the project sponsor

- The site is unusual and warrants a waiver.
- This project does not impact any of the neighbors.

#### (-) Peter Craggy

- He is one of the owners of 540 Pacific.
- There is a substantial lot between his property and the proposed property.
- The notice that he received stated that the property was located at 2 Rowland Street and not 2 Rowland Place.
- He needs to see how this affects his property related to shadows.
- The people in his building use the yard to have their lunch.

#### (-) Francesca Valdez

- Her property is adjacent to the proposed site.
- She opposes the project since the proposed property has been in a commercial zone and used as commercial use. This change will cause disarray to the existing businesses.
- Rowland is a narrow allev.
- The building height will cause shadows to the adjacent properties.
- Many of the businesses are restaurants and are open until about 2:00 a.m.

#### (-) Carl Prescott

- There are three exits that run into Rowland.
- The garbage under the stairways will cause problems to the new owners.
- The height of the building will block his view of the City.

#### (-) Steve Soriani - Owner of the Bubble Lounge

- The stage in his establishment will be adjacent to the proposed project.
- They are discussing alternatives to block out noise.

ACTION: Approved

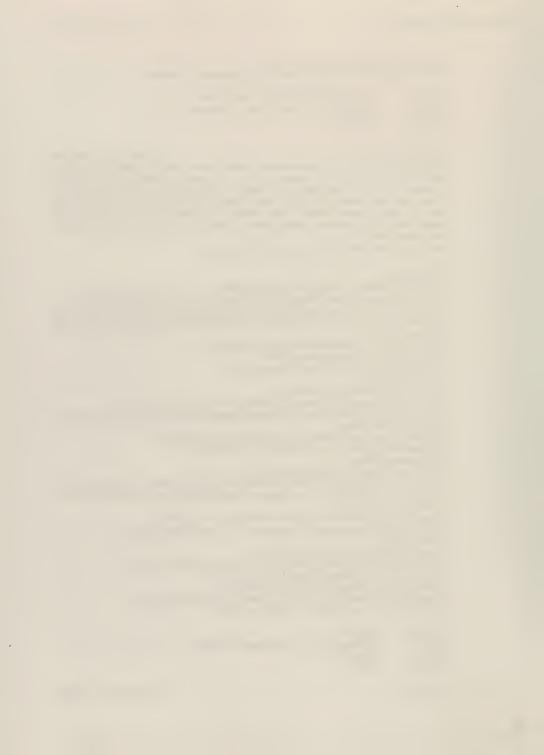
AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

MOTION: 16096

16b. 2000.1248<u>V</u>

(CRAWFORD: 558-6358)



<u>2 ROWLAND STREET</u> - Assessor's Block 0163 Lot 027 Request under Planning Code Section 134e for a modification of Rear Yard Requirements by the Zoning Administrator to allow the rear yard to be placed on the south side of the parcel instead of on the east side. This project is for the demolition of the existing storage building on the property and construction of a five-story, 52-feet-tall building that will contain three residential units with ground floor parking. This project lies within the Broadway Neighborhood Commercial District and within the 65-A-1 Height and Bulk District.

SPEAKER (S): (Same as those for item 16a)

ACTION: Zoning Administrator granted the rear yard waiver.

#### E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:10 PM** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

#### 17a. 2000.964DDDD

(MEHRA: 558-6257)

<u>250 SEA CLIFF AVENUE</u> - north side, west of 27th Avenue; Lot 1M in Assessor's Block 1307. Request for Discretionary Review of Building Permit Application No. 200006213244 proposing to construct a one-story addition - 391 square feet in size - on the second floor on an existing deck adjacent to the master bedroom, above the garage on the east side of the property. The addition will accommodate an exercise room and a dressing room and will not encroach into the required rear or side yards. The property is in an RH-1 (D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take discretionary review and approve project as submitted.

(Continued from Regular Meeting December 14, 2001)

#### SPEAKER(S):

#### (+) Christopher Moscone - Representing one of the DR requestors

- The project sponsor has worked in good faith with him and his client and his client's issues have been resolved.

#### (-) Sue Hestor - Representing one of the DR requestors

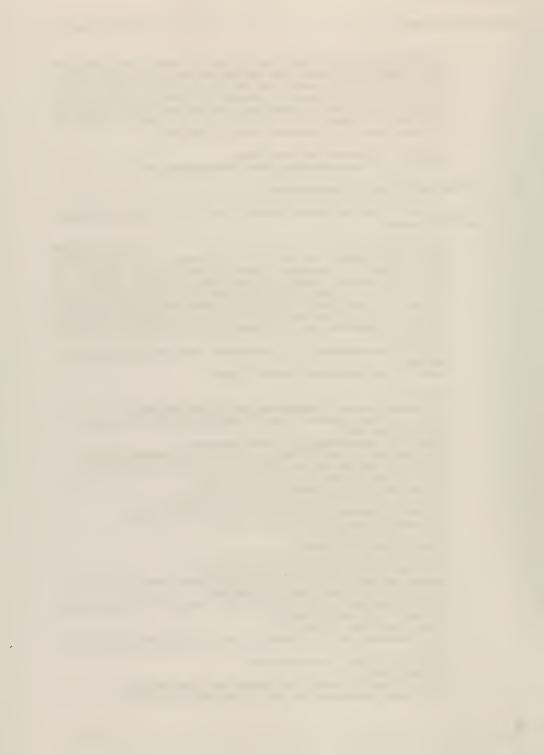
- This project was continued from December because she discovered that multiple building permits had been taken out. They had not done what the Department requires them to do--do one application for all of the improvements.
- She disagrees with the Department's legal characterization.
- The Planning Department did not pull up the variance decision.
- The Planning Department did not apply the Planning Code to this project.
- The developer is adding view rooms all over the place.
- All the windows have 180° views.

### (-) Byron Litman - DR Requestor

- He and his wife have lived on Sea Cliff Avenue for 20 years.
- Their house is across the street from the proposed project.
- He read a passage from the Sea Cliff magazine published 85 years ago, which states that all houses should conserve the beautiful sea views.
- When the project was originally proposed there was no opposition. But through a series of changes, it has become too massive.
- Trees can be adjusted, a building cannot.
- If this project is approved, it will take away the view that his family has enjoyed for many years.
- He urges the Commission to deny this project.

#### (-) Marlene Marsai

- She lives on Sea Cliff Avenue across the street from the proposed project.
- She had asked that the project be reshaped for less neighborhood impact.



- Sea Cliff was established in a master plan to allow for view and limit the height of trees.
- Trees should just be allowed to grow to the level of the rooflines.
- The allowance of light and air is a character of this neighborhood.
- Whenever the trees became unruly, they were trimmed.
- The request to lower the trees has been going on since 1997.
- An arborist has been consulted, which has said that the trees can be safely trimmed.
- There should be a condition that requires the trees be lowered to the lowest level allowed.

### (-) Mr. Hirsh

- He lives across the street from the proposed project.
- He was sitting in Mr. Passmore's office in July of 1999. He asked if there was going to be any other buildings and the answer was no. All he could recall about the variance was that there be no construction on Saturday and Sundays.
- The trees grew and began to block their view.
- Although there is not much to see from his attic window, there is a feeling of openness.

#### (-) Tarrance Marsai

- The home in which he lives is across the street from the proposed project. Although it's a large home, it is designed in a way for he and his family to enjoy open space and it does not block his neighbors' views.
- The reason that this has become such an issue is because the trees have grown just too tall.
- If this project is approved, he would like to have the project sponsor have conditions to keep an open space and to keep shrubbery to certain limits.

#### (-) Mr. Morgolan

- He lives on Scenic Way, which is one block away from the proposed project.
- He was not notified of this hearing.
- He has trees in front of his property yet when these trees become obstructive, they are trimmed.

#### (+) Alice Barkley - Representing project sponsor

- This project is not by a developer. It is the project of a homeowner.
- There is a provision that each home should have a side yard.
- The project is going to be set back more.
- One of the speakers showed pictures, which were taken 12 years ago.
- The trees grow 24 inches per year.
- The project sponsor has trimmed the trees.
- She would like to have the Commission take Discretionary Review with three conditions:
- 1) conditions subject to Mr. Badiner's letter; 2) plans be revised; 3) trees to be trimmed annually.

#### ACTION:

- Take Discretionary Review and approve project with the following conditions:
- 1) that the design of project shall conform to the plans presented today;
- 2) the BAP affirms the ZA's written determination that the proposed project will not require a variance application;
- 3) the project sponsor will retain a licensed arborist to trim the two New Zealand Christmas trees at the front yard annually, to the maximum extent feasible without harming the health of the trees.

AYES:

Baltimore, Chinchilla, Fay, Salinas, Theoharis

NAYES:

Joe

#### 17b. 2000.964<u>V</u>

(MEHRA: 558-6257)

250 SEA CLIFF AVENUE - north side between El Camino del Mar and 27th Avenue; Lot 001M in Assessor's Block 1307 in an RH-1(D) (Residential, House, One-Family, Detached Dwelling) District and a 40-X Height and Bulk District. SIDE AND REAR YARD VARIANCE SOUGHT: The proposal is to reconstruct the northeast side and rear



building walls at the first floor level that were demolished by a contractor in excess of the scope of an approved permit. Additional work includes the addition of a subterranean (completely below grade) home theater, beneath the existing structure/demolished rear and side building walls, and within the required rear and side yards.

SPEAKER(S): (Same as those listed under item 17a)

ACTION: Zoning Administrator Closed Public Hearing has taken the matter

under advisement.

#### 18. 2000.1124D

(SMITH: 558-6322)

<u>4616-18TH STREET</u> - Request for Discretionary Review of Building Permit Application No. 2000/09/11/0100, Case No. 2000.1124D, Lot No. 007 in Assessor's Block 2658. Staff-initiated Discretionary Review is requested of Building Permit proposing to merge two dwelling units into one dwelling unit in a RH-2 (House, Two-Family) District and 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the proposal as it was submitted.

#### SPEAKER(S):

### (+) Scott Lamert - Project Sponsor

- The Planning Commission is responsible for representing the public. This project does not harm in any way any of the neighbors.
- He purchased the house for his family since his family is growing.
- They are not changing the footprint of the home or changing the façade.
- Before they purchased the house, they did research and found out that there would be no difficulty to merge the units. Since then the Commission has approved a policy about dwelling unit mergers.
- There are no complaints regarding this merger and the neighbors and neighborhood associations support this merger.

#### (+) Joe O'Donahue

- Families should be allowed to stay in this City.
- This family, which is growing and requires more space, wants to live here.
- There is no protest to this project.
- This is a matter of equity and mercy rather than justice.

ACTION: Do not take Discretionary Review and approve project as submitted.

AYES: Baltimore and Joe

NAYES: Chinchilla, Fay, Salinas, and Theoharis

RESULT: Motion failed to carry.

ACTION: Take Discretionary Review and deny project.

AYES: Chinchilla, Fay, Salinas, and Theoharis

NAYES: Baltimore and Joe

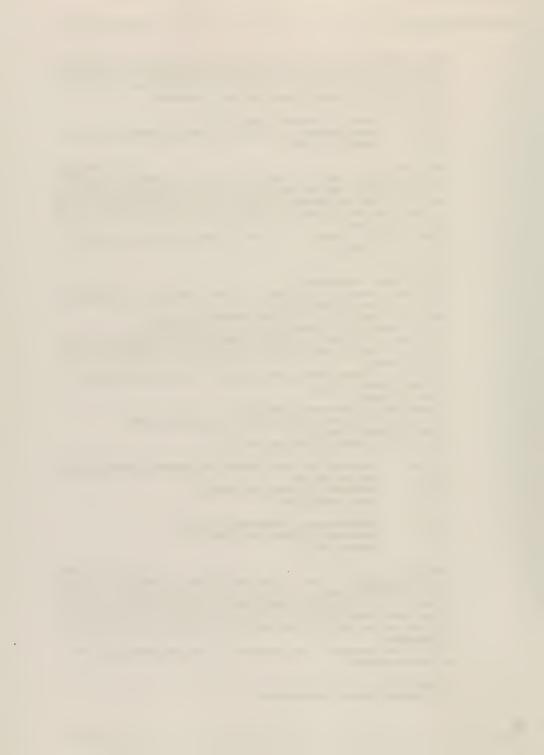
19. 2000.1265D (SMITH: 558-6322)

<u>282 UPPER TERRACE</u> - Request for Discretionary Review of Building Permit Application No. 2000/09/20/1100, Case No. 2000.1265D, for the property located at 282 Upper Terrace, Lot No. 002I in Assessor's Block 2629. Discretionary Review is requested of Building Permit proposing to construct a two-story rear addition with a second-floor roof deck and stairs on a dwelling in a RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take discretionary review and approve the project per staff recommendations.

#### SPEAKER(S):

#### (-) Dr. Barbara Hennessy - DR Requestor



- She is the only neighbor who will be affected by the construction.
- The project sponsor did not show her the plans before submitting them to the Department.
- The most important aspect is the sunlight being blocked to her home because of the construction.
- She requests that the project sponsor make some modifications. She made this proposal to the project sponsor but the sponsor wasn't in agreement.
- Her second request is that the project sponsor put siding on the wall on Ms. Hennessy's side.
- She does not think that these requests are too much.
- She hopes that the Commission takes this into consideration.

#### (-) Gary Gerber - Contractor and Designer

- Ms. Hennessy has pretty much covered everything.
- He is a solar engineer and has made an analysis of shadow studies. Because of the proposed construction the sunlight to the DR requestor will be impacted.

#### (-) Greg Framlechlin - Architect

- He was hired to view the plans and try to come up with a possible mediation.
- The hallway on the upper floor is rather large for the proposed house. He suggests reducing the hallway and office, which would allow for a window and light to come through.
- He did some sunlight studies and showed some computer diagrams, which show the impacts.

#### (+) Alfred Sanchez - Rep. of Project Sponsor

- He is willing to take into consideration the suggestions made by staff.
- (He displayed a model of the proposed construction.)
- There has been some hill cutting to bring out the deck.
- He does not want to shove his project into the hill.
- If he were to bring the construction into the hill it would cause a shadow affect to the DR requestor.

#### (+) Carol Cox, Project Sponsor

- The DR requestor stated that she didn't make an attempt to speak to her when she did.
- There are several discrepancies in the review analysis (e.g. that the sunlight to the DR requestor will be diminished, which is not so).
- She was born and raised in this neighborhood so she is familiar with the neighborhood.

#### (+) Darie Saba

- She does not live in the neighborhood but is a friend of the project sponsor.
- If the proposed construction is reduced, the addition will look like a closet.

#### (+) Robert Tarlin

- He lives a few houses away from the proposed project.
- His house has an identical floor plan.
- He has a small open area in his back yard.
- Taking off three feet will not provide any more sunlight.
- He supports the construction of this proposal.

#### (+) Kenneth Gordon

- In general support of the proposed.

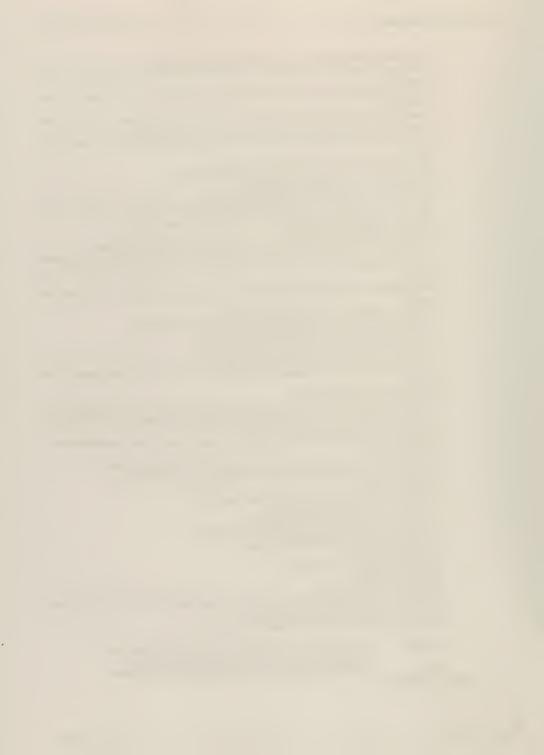
#### (+) (name unclear)

- She lives on Upper Terrace
- Her niece and her niece's mother, who is the project sponsor, grew up in this house. She should not have to compromise three feet.
- It is very unfair that her niece's project is not going forth.

ACTION:

Take Discretionary Review and approve project per staff recommendations regarding finished side material. Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

#### F. PUBLIC COMMENT



At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a Commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the Commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

#### Sue Hestor

Re: 250 Sea Cliff Avenue

- She feels very frustrated since she sent a letter to the Planning Department on December 11, requesting consolidated plans. Since then she kept calling the Department trying to find out if the plans had been filed. The plans were submitted on December 28; but she did not receive a copy even though she should have received a copy.
- She then spent the next six weeks trying to find out where the plans were. Various planners were on vacation yet she left messages. No one could find the plans.
- The plans were finally found 10 days ago. Plans that she should have gotten on December 28, she got in February.
- The first notice she received of a variance was when she got a copy of the calendar last Friday.
- The planner mentioned that there wasn't a variance report and that the only documents the Commission was going to receive would be what Ms. Barkley would submit.
- She later discovered by one of the DR requestors that there was a variance set of plans that she had never seen.
- If she is involved in a case, there is no excuse for staff not to give her the same information that the Commission, DR requestors, etc. receive.

#### Joe O'Donaghue - Residential Builders

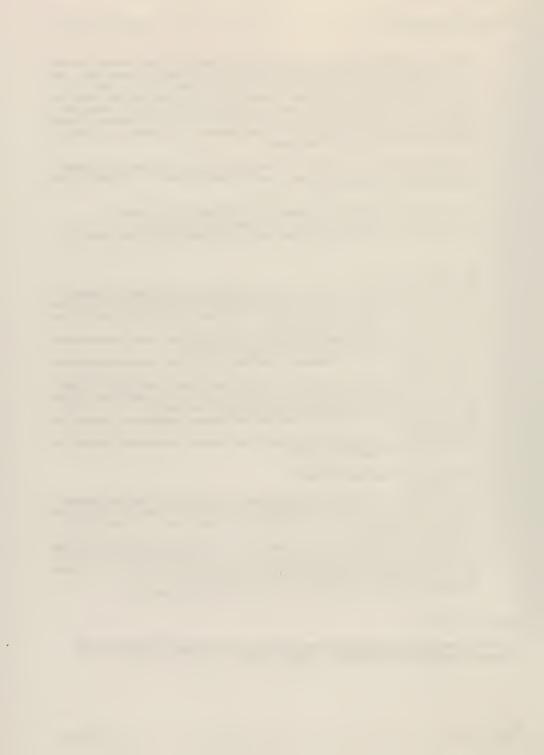
Re: Ken Garcia

- He wants to make it clear that the ideas Mr. Garcia has that Mr. O'Donaghue's company is moving to Oakland are not true. Mr. O'Donaghue has been trying to contact Mr. Garcia but has not been able to do so. Then, Mr. Garcia's attorney writes a letter to him stating that Mr. O'Donaghue was trespassing.
- Also, last week at the BOS, Mr. Garcia stated that Mr. O'Donaghue walked out of a hearing. What happened was that he was denied access to a hearing, something that has never happened in the BOS. The Land Use hearings were moved from a bigger room to a smaller room. Since he brought a lot of members, they were denied entrance.
- Instead of denying entrance, they should have reduced the time of the speakers.

Adjournment: 6:30 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 1, 2001.

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SAN FRANCISCO
PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, February 22, 2001

1:30 PM

DOCUMENTS DEPT

Regular Meeting

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SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 p.m.

STAFF IN ATTENDANCE: Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Isolde Wilson; Costolino Hogan; David Alumbaugh; Paul Lord; Darwin Helmuth; Paul Maltzer; Michael Kometani; Adam Light; Kelley LeBlanc; Allison Borden; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1a. 2000.171C<u>X</u>

(MILLER: 558-6344)

466 BUSH STREET - north side between Grant Avenue and Kearny Street, Lot 42 in Assessor's Block 270. Request for Determination of Compliance pursuant to Section 309 with respect to a proposal to construct a 10-story hotel approximately 99 feet in height and containing approximately 91 guest rooms, also involving a request for exceptions to Planning Code standards for building height and bulk (Sections 263.8 and 272, et seq.) -- in a C-3-R (Downtown Retail) District and a 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 8, 2001) (Proposed for continuance to March 1, 2001)

SPEAKER(S): None

ACTION: Continued to March 1, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay



1b. 20**00**.171CX

(MILLER: 558-6344)

466 BUSH STREET - north side between Grant Avenue and Kearny Street, Lot 42 in Assessor's Block 270. Request for authorization of a Conditional Use for modification of a previously imposed condition (time limit for start of construction Motion No. 14797) for a hotel containing approximately 91 rooms in a C-3-R (Downtown Retail) District and a 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 8, 2001) (Proposed for continuance to March 1, 2001)

SPEAKER(S): None

ACTION: Continued to March 1, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay

2a. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Request for a Conditional-Use Authorization to allow the construction of two dwelling units in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer per Planning Code Section 215(a); Planning Commission Resolution No. 14861 and a 40-X Height and Bulk District.

Preliminary Recommendation: Disapproval

(Proposed for continuance to March 15, 2001 March 22, 2001)

SPEAKER(S): None

ACTION:

Continued to March 22, 2001

AYES:

Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fav

2b. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Request for staff-initiated Discretionary Review for the demolition of an existing, vacant industrial building and construction of housing and office use in an existing industrial building space in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer per Planning Commission Resolution Nos. 14861 and 16079, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review

(Proposed for continuance to March 15, 2001 March 22, 2001)

SPEAKER(S): None

ACTION: Continued to March 22, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fav

3a. 2000.863BV

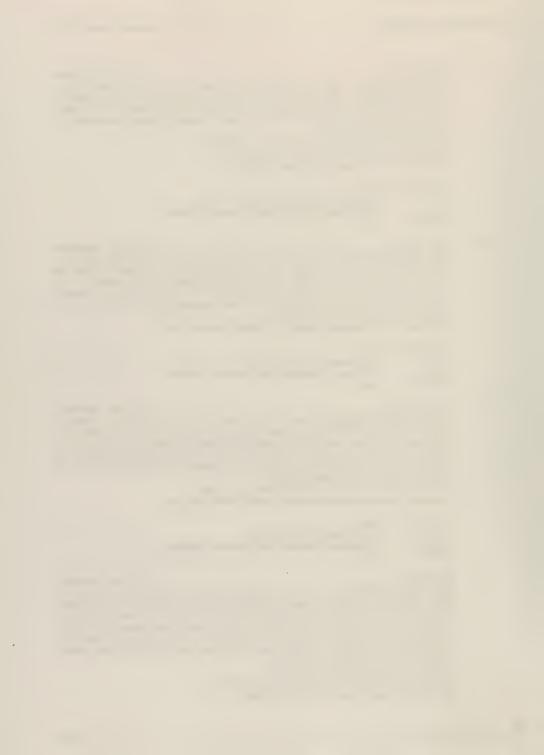
(WONG: 558-6381)

2712 MISSION STREET - The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831 gross-square-foot building into a 30,847 gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Disapproval

(Continued from Regular Meeting of February 15, 2001)

(Proposed for continuance to March 15, 2001)



SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fav

3b. 2000.863BV

(WONG: 558-6381)

<u>2712 MISSION STREET</u> - The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

(Continued from Regular Meeting of February 15, 2001) (Proposed for continuance to March 15, 2001)

Proposed for continuance to March 15, 200

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fav

4. 2000.1078D

(SIDER: 558-6897)

531 KANSAS STREET - east side between Mariposa and 18<sup>th</sup> Streets, Lot 008J in Assessor's Block 4009. Request for Discretionary Review of building permit application number 2000.08.14.7852. The proposal is to (1) add a third story, (2) construct a horizontal expansion of the existing 1<sup>st</sup> and 2<sup>nd</sup> levels, and (3) enlarge the rear deck of a single-family dwelling. The site is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve building

permit as proposed.

(Proposed for continuance to March 22, 2001)

SPEAKER(S): None

ACTION: Continued to March 22, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay

5. 1999.210E

(BLOMGREN: 558-5979)

<u>3620 - 19th STREET</u> - within the block bound by 18th Street, Guerrero Street, 19th Street and Oakwood Street, Assessor's Block 3587, Lots 18, 68, and 70. **Appeal of a Preliminary Negative Declaration**. Proposed new construction of five two-, three-, and four-story buildings containing a total of 43 dwelling units. The site currently has a 32-space parking lot, which is accessed by a gate on Oakwood and a facade of an industrial building at the 3620 19th Street frontage, which would be demolished. The new buildings would reach a maximum height of 40 feet in a 40-X height/bulk district. Lots 68 and 70 are located in a RH-2 (Residential House, Two-Family) zoning district. Lot 18 is located in a RH-3 (Residential House, Three-Family) Zoning District.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of January 11, 2001)

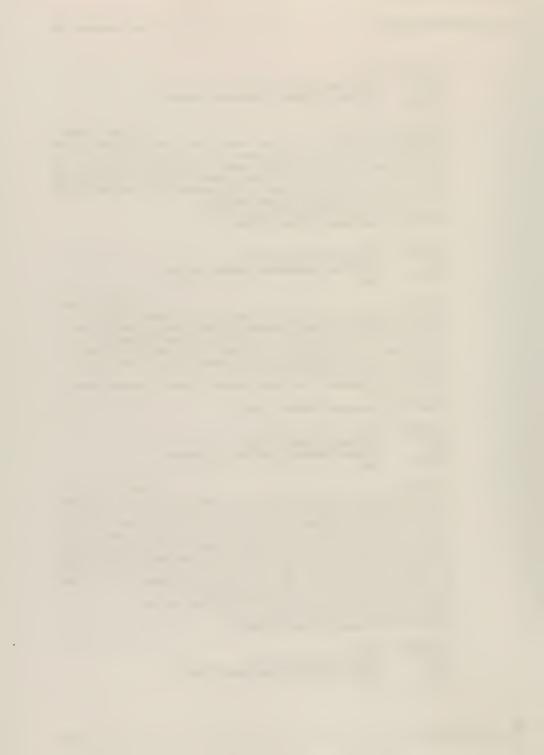
(Proposed for continuance to March 22, 2001)

SPEAKER(S): None

ACTION: Continued to March 22, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay



6. 2000.1092C (MEHRA: 558-6257)

3632-38 SACRAMENTO STREET - north side between Spruce and Locust Streets; Lot 9 Request for Conditional-Use Authorization pursuant to in Assessor's Block 1011. Planning Code Section 724.53, to allow Business or Professional Service on the first floor of the subject property. The legal use of the building includes a restaurant (Tuba Garden, which is now vacant) on the first floor and a dwelling unit on the second floor. The second floor dwelling unit was converted to office use and is currently occupied by a property management firm. The proposal is to convert the restaurant space to a business or professional service on the first floor and restore one parking space in the basement. Since the Planning Code does not permit business or professional service use above the first floor, the project is required to restore the dwelling unit at the second floor level. The subject property is located in the Sacramento Street NCD (Neighborhood Commercial District) with a 40-X Height and Bulk District.

Preliminary Recommendation: Disapproval

(Continued from Regular Meeting of January 11, 2001)

(Proposed for continuance to March 22, 2001)

SPEAKER(S): None

Continued to March 22, 2001 ACTION:

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT:

7. 2000.585E (JAROSLAWSKY: 558-5970) 428 8<sup>TH</sup> STREET - Appeal of a Preliminary Negative Declaration. The property is on Lot 002 of Assessor's Block 3757. The proposal includes the demolition of five existing structures on the project site and the construction of a three-story, 105,500 square-foot structure. The project site is on 8<sup>th</sup> Street with frontage on both 8<sup>th</sup> and Converse Streets. The subject site is within an SLI (Service Light Industrial) District and a 40-X Height and Bulk District within the South of Market District of the City of San Francisco. Two of the existing structures on the site are utilized as storage sheds and the remaining three structures are vacant. The proposed new structure would entirely encompass the subject site, be a maximum of 40 feet in height and contain three stories. The project would

include an open courtyard and 100 below-ground parking spaces. Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Proposed for continuance to March 22, 2001)

SPEAKER(S): None

Continued to March 22, 2001 ACTION:

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT:

8. 2000.1165B 2 HENRY ADAMS STREET - west side, between Division Street and Alameda Street; Lot 1 in Assessor's Block 3910. Request under Planning Code Sections 320-322 for project authorization of an office development consisting of the conversion of up to 49,900 square feet in an existing building (San Francisco Design Center) from wholesale design showroom space to office space. This notice shall also set forth an initial determination

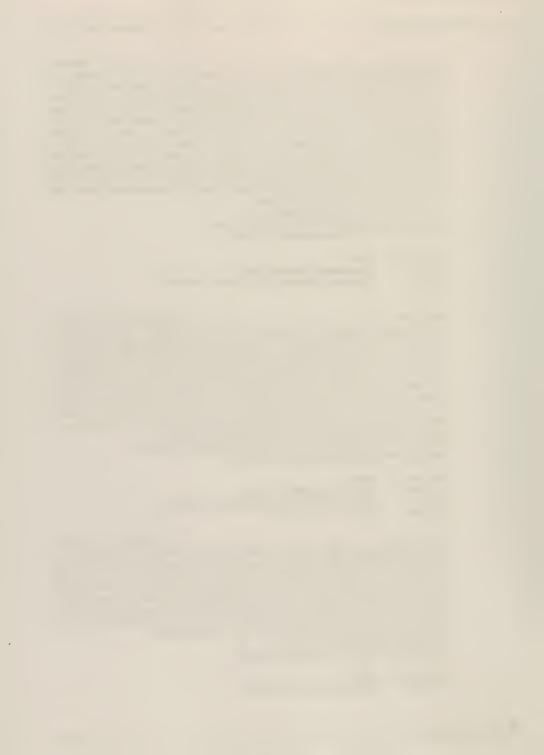
of the net addition of gross square feet of office space, pursuant to Planning Code Section 313.4. The subject property is located in an M-2 (Heavy Industrial) District and the Industrial Protection Zone, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for continuance to March 22, 2001)

SPEAKER(S): None

ACTION: Continued to March 22, 2001 (BRESSANUTTI: 558-6892)



AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay

9. 2001.006DD (DiBARTOLO: 558-6291)

835 LOMBARD STREET - between Taylor and Jones Streets, Lot 020 in Assessor's Block 0073. The proposal is to construct a new 425 square-foot rear addition on the fourth floor and to remove the gable roof to create a flat roof and deck atop the noncomplying structure at the rear of the subject property. The height of the roof will be reduced from 20'-4" to 18' in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the

building permit application with modifications (Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fav

## B. COMMISSIONERS' QUESTIONS AND MATTERS

Consideration of Adoption - draft minutes of February 1, 2001

SPEAKER(S): None

ACTION: Approved as corrected

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay

#### Commission Matters

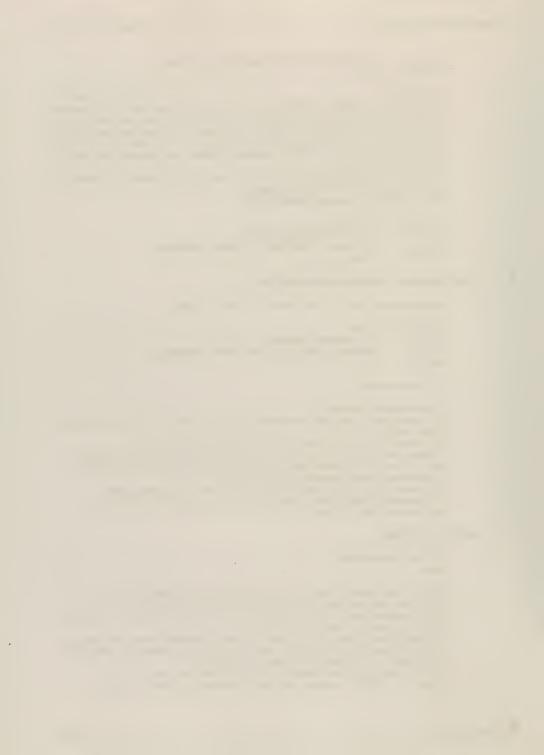
#### Commissioner Theoharis:

- She would like to cancel the hearing date of January 3, 2002, since people are still on holiday vacations.
- The Neighborhoods 2002 program has been continued to March 8, 2001.
- She received a letter from the Ocean Avenue Renaissance Committee. The letter is asking for two things: 1) conditional use permit for the Sunset Garage at 1298 Ocean Avenue; and 2) design guidelines for Ocean Avenue.
- She would like to have the first item placed under Director's Report when the Neighborhoods 2002 program is presented. The other item she would like staff to calendar when they are ready.

#### C. DIRECTOR'S REPORT

# 12. Director's Announcements None

- 13. Review of Past Week's Events at the Board of Supervisors and Board of Appeals **BOA:** There were five items, which are of interest to the Commission:
  - 1) 993 Tennessee Street: The Commission considered this item on March 2, 2000. The Board overturned the Commission's decision.
  - 2) 39 Ellert Street (Discretionary Review). The Board upheld the Commission's decision.
  - 3) 175 Russ Street. The Commission considered this item on December 14, 2000. The Board upheld the Commission's decision by a vote of +4-1.
  - 4) 2051 Harrison (aka Bode Gravel site). The Commission also heard this item on December 14, 2000. The Board upheld the Commission's decision by a vote of +3-1.



5) 250 Sea Cliff Avenue (Discretionary Review). This item was considered by the Commission in February. The Board upheld the Commission's decision by a vote of +5-0.

14. (BADINER: 558-6350)

240 -16th Street - Status Report

(Continued from Regular Meeting of February 15, 2001)

SPEAKER(S): None

ACTION: Continued to a future date. The item will be placed on the

Commissioner's Action List.

15. (BADINER: 558-6350)

Discussion of Planning Code Requirements for Bay Windows (Continued from Regular Meeting of February 15, 2001)

- Jonathan Pearlman, Architect, raised this item during a public comment portion of the calendar at a previous hearing. His question was how the Planning Department was implementing the bay window provisions to the Planning Code, which have been in place for a number of years but it hasn't been formally modified.

- What it states is that when a bay window is determined, what is measured is the amount of glass. Earlier bay windows did not have glass on the sides.

- The requirement was that 50% of the areas of the vertical surfaces be of glass and that at least 1/3 of that glass be on the face of the building, parallel to the street and 1/3 of glass be on the side pieces of the window, perpendicular to the street.

- He (ZA) hasn't heard that this is a big issue; he has spoken to various architects that have not expressed concerns.

- He will continue to look further into this and will report more information if either Mr. Pearlman or the Commissioners have more questions.

16. (ALUMBAUGH: 558-6601)

<u>BETTER NEIGHBORHOODS 2002</u> – Informational Presentation regarding Balboa Park Station Area Plan.

SPEAKER(S): None

ACTION: Without hearing, continued to March 8, 2001

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fav

1999.770DDDDD

# D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

567 - 569 SANCHEZ STREET - east side between 19th and Hancock Streets; Lot 032 in Assessor's Block 3585. The proposal is to demolish an existing single-family dwelling with a detached garage and construct a new three-story plus attic-over-garage, two-family dwelling, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

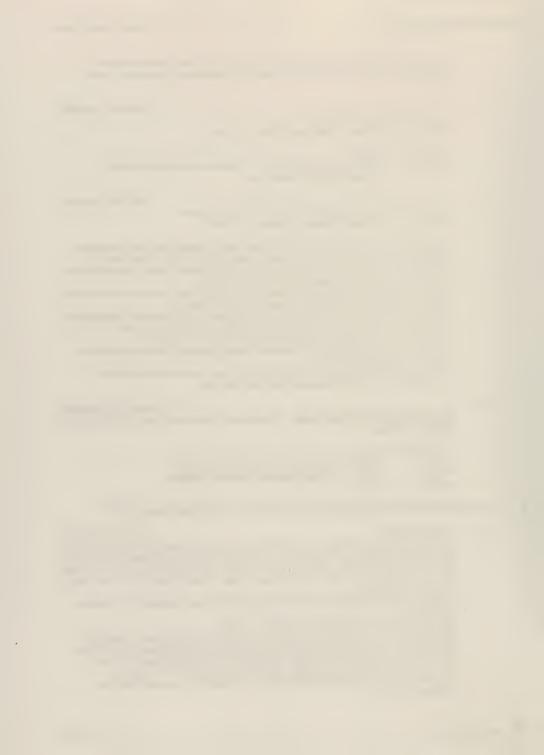
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of February 1, 2001)

Note: On February 1, 2001, after public testimony, the Commission closed the public hearing. A motion of intent to take Discretionary Review and approve the staff recommendations and reduce the height of the project, passed by a vote +5 -1, Commissioner Joe voted No. Project will be brought back to the Commission on February 22, 2001. Public comment will only be allowed on accuracy of plans.

(WILSON: 558-6602)

17.



## SPEAKER(S):

#### (+) Alice Barkley

- She faxed a letter requesting for the project be continued but she wanted to publicly state the reason for the continuance.
- At around 10:00 p.m. last night, during the Board of Appeals hearing, Ms. Hestor handed her a stack of papers, which included a request for continuance as well as a brief submitted by Mr. Butler. She (Ms. Barkley) obviously did not have time to review the material since she didn't get out of the Board of Appeals hearing until 11:30 p.m.
- When she returned to her office she discovered that there was a fax from Ms. Hestor, which arrived after the Board of Appeals hearing had started. At that time, she was already at the Board of Appeals hearing.

(-) Joseph Butler

- Part of the problem Ms. Barkley has had is that he finished his brief and distributed it to the Commissioners on Tuesday night. The copy to staff and Ms. Barkley was delivered on Wednesday. He also delivered a copy to Ms. Barkley during the Board of Appeals hearing via Ms. Hestor. He realizes that things should have been done in a more timely matter yet he received information needed for the brief late.

ACTION: Continued to March 1, 2001

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay

#### E. REGULAR CALENDAR

18. (HOGAN: 558-6610)

PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2001-2002 – Consideration of approval of a draft resolution adopting the Planning Department's proposed work program and budget for fiscal year 2001-2002. Note: The public hearing for this item was held on February 15, 2001. Following public testimony, the Commission continued the matter to February 22, 2001, for action. Preliminary Recommendation: Approval

(Continued from Regular Meeting of February 15, 2001)

SPEAKER(S): None
ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay RESOLUTION: 16097

19. (ALUMBAUGH: 558-6601)

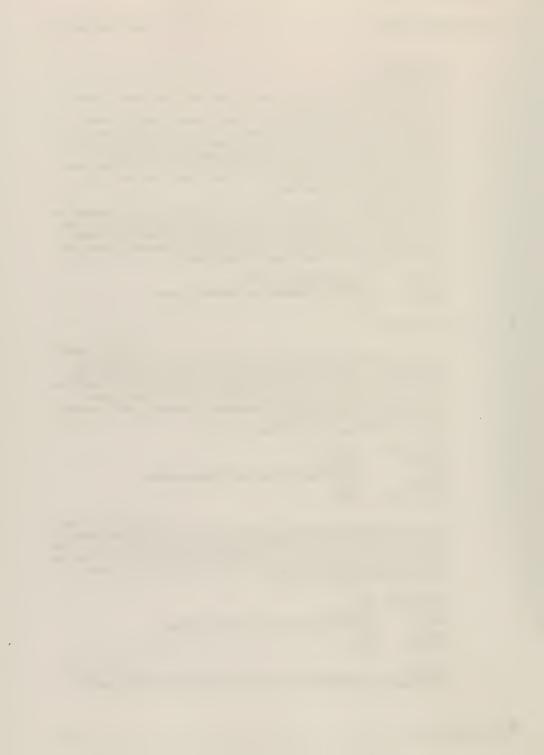
<u>BETTER NEIGHBORHOODS 2002 EIR CONSULTANT CONTRACT</u> Consideration of a proposal to approve a resolution authorizing the Director of Planning to enter into contract with an environmental planning firm for funded work associated with the Market and Octavia Neighborhood Planning project of the Better Neighborhoods 2002 program. Preliminary Recommendation: Approval

SPEAKER(S): None
ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay MOTION: 16098

20. 2000.407Z (LORD: 558-6311)
INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT MAP AMENDMENT



Consideration of whether to initiate an ordinance amending Zoning Maps to reclassify thirty-five commercial parcels in the vicinity of Irving Street between 5th Avenue and 19th Avenue from current Small-Scale Neighborhood Commercial District (NC-2) Zoning to Inner Sunset Neighborhood Commercial District (NCD), and to reclassify one commercial parcel from current Inner Sunset NCD Zoning to NC-2.

Parcels reclassified from NC-2 to NCD:

Street Address (Assessor's Block/Lot) - 1644-1652 Irving Street (1733/022), 1634-1642 Irving Street (1733/022A), 1600-161 Irving Street (1733/019), 1550 Irving Street (1734/021), 1500-1512 Irving Street (1734/016B), 1100 Irving Street (1738/020), 1116-1120 Irving Street (1738/020A), 944-946 Irving Street (1740/025), 1200 9th Avenue (1742/051-052), 1297 6th Avenue (1755/010), 1345 5th Avenue (1760/001), 447 Irving Street (1760/050), 425-427 Irving Street (1760/051), 421-423 Irving Street (1760/052), 501-519 Irving Street (1761/001), 1318-1322 7th Avenue (1761/033), 555 Irving Street (1761/035), 531-533 Irving Street (1761/038), 525-529 Irving Street (1761/039), 601-621 Irving Street (1762/041), 1310-1314 8th Avenue (1762/043), 647 Irving Street (1762/044), 635-641 Irving Street (1762/045), 627-633 Irving Street (1762/047), 701 Irving Street (1763/001), 737-741 Irving Street (1763/039B), 731-733 Irving Street (1763/040), 715-721 Irving Street (1763/042A), 723-725 Irving Street (1763/043), 1135 Irving Street (1767/042A), 1501-1505 Irving Street (1771/001), 1619 Irving Street (1772/016 - 018).

Parcels reclassified from NCD to NC-2: Street Address (Assessor's Block/Lot) - 1301 19th Avenue (1774/001).

Preliminary Recommendation: Adopt Draft Resolution to initiate and schedule a Public Hearing for April 5, 2001

SPEAKER(S): None

ACTION: Initiation Approved. Schedule a public hearing for April 5, 2001.

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay MOTION: 16099

21. (HELMUTH, 558-5971)

REQUEST FOR AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR ENVIRONMENTAL REVIEW CONSULTATION SERVICES - staff requests that the Commission authorize the Director to issue a Request for Qualifications to create a pool of qualified consultants and to use an abbreviated Request for Proposals (RFP) process to select individual consultants from the pool. Retention of consultants will assist Department staffing analyzing potential environmental effects of future land use planning projects during Fiscal Year 2001-2002 and Fiscal Year 2002-2003.

Preliminary Recommendation: Approval

SPEAKER(S): None
ACTION: Approved

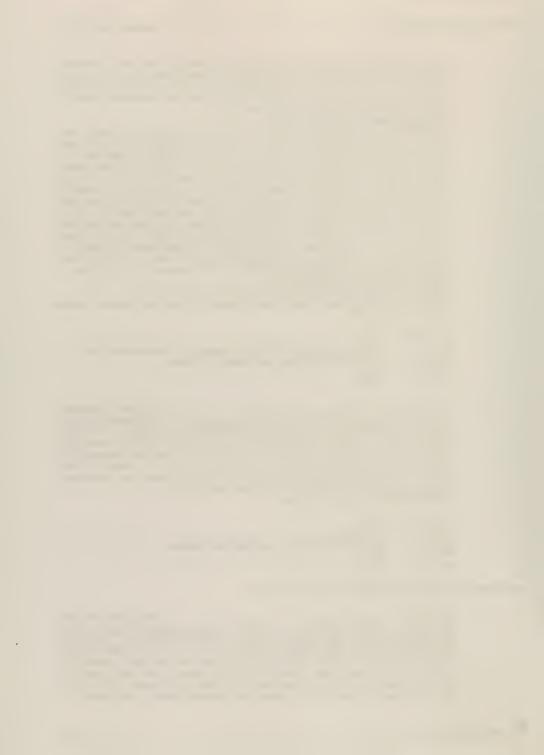
AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay MOTION: 16100

Note: Item 22 was taken out of order and followed item 23.

22. 2001.0152R (MALTZER: 558-6391)

TRANSBAY REDEVELOPMENT PROJECT AREA PRELIMINARY PLAN
FORMULATION OF PRELIMINARY PLAN AND FINDING OF GENERAL
CONSISTENCY WITH THE GENERAL PLAN. All, or portions of Assessor's Blocks
3718, 3719, 3720, 3721, 3736, 3737, 3738, 3739, 3740, and 3749; being generally the
area bounded by Mission, Main, Folsom and Second Streets, together with a portion of
the Block bounded by Folsom, First, Harrison and Second Streets. Formulation of a



Preliminary Plan for the Transbay Redevelopment Project Area, as revised from a previous Preliminary Plan, and finding said revised Preliminary Plan to be generally consistent with the San Francisco General Plan

Preliminary Recommendation: Adopt Resolution formulating Preliminary Plan and finding said plan generally consistent with General Plan

# SPEAKER (S):

# (+) Maria Ayerdi – Mayor's Office of Economic Development and Mayor's Transbay Terminal/Caltrain Project Director.

- The reason why this project is of such vast importance is because it addresses two major issues of San Francisco--traffic congestion and lack of housing.
- The site would be our own Grand Central Station at the current Transbay Terminal.
- The facility would be a 5-level intermodal bus and rail transit station, which would be a model for integrating regional, state and nation-wide public transportation.
- The new facility will be an exceptional, environmentally sustainable station that will provide service to AC Transit, Samtrans and Golden Gate Transit.
- The new facility will also provide expanded service to MUNI and Caltrain Station service.
- The parcel surrounding the terminal will provide at least 3,000 housing units.
- Groundbreaking is expected by 2003.

# (+) Karen Oshburn - SMWM Architects - Professional Consultant Team

- Showed a Powerpoint presentation of the design of the new Transbay Terminal.
- There have been various plans that have come forth regarding the design of the terminal but none has had as much support from the various agencies.
- The current design will allow excellent connection to the various transit services of other cities.
- Using public transportation is part of everyday life.
- All the services will come into the terminal; that way people can access all these services conveniently.
- Below grade will have six tracks for Caltrain and high speed rail; the next level up (ground surface) will access MUNI; the concourse level will contain retail, the next level up will service AC Transit; the next level which is a half level up will service Greyhound.

# (+) Jim Haas – Member of the Transbay Citizen's Advisory Committee for the Survey Area

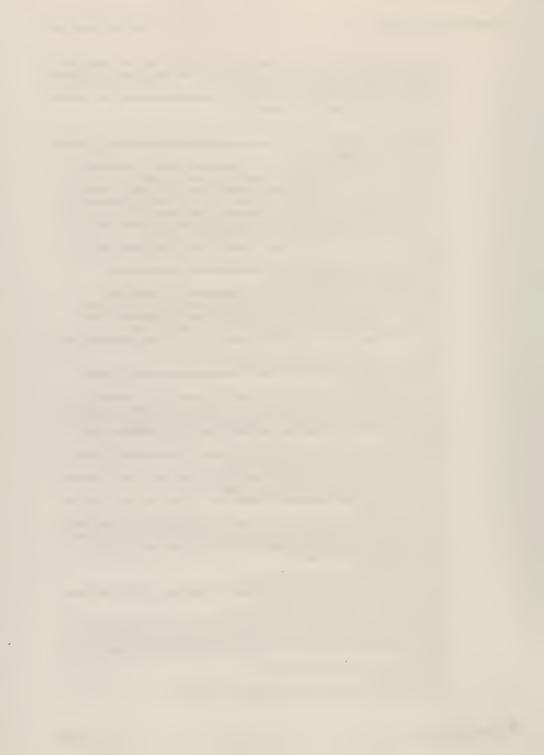
- Everyone who has been involved in this project has done a tremendous job and has been working very hard to make this project happen.
- This project will not receive Federal or State funds. The only way this will happen will be to use public properties as well as tax increments.
- The CAC has not taken a position on the detail plans. He feels confident that they will endorse this project.
- There is a consensus, at least among the CAC, that in the Rincon Hill area there are opportunities for increased heights, for housing, incentives for adding affordable housing along Folsom Street, etc. So he hopes that the Commission and staff will again start working on the Rincon Hill Rezoning.

# (-) Lloyd Schlagle

- This is a very busy and successful transit area.
- The proposal is very disruptive. Also, the voters had voted this proposal down before, meaning that this proposal is not supported.
- When completed, this area would be just too busy.
- The City can save itself building this proposal since there is a transit facility already.
- A moratorium should be established on large office buildings since there are many already. These types of constructions should be put on hold until the next generation of builders.
- Presently there are signs of being overbuilt.

# (+) Clark Manus

- He would encourage the Commission to approve this project.



- It's the kind of project that this City needs.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay MOTION: 16102

Note: Item 23 was taken out of order and followed item 21.

#### 23. 2000.077G

(KOMETANI: 558-6478)

678 MISSION STREET - north side between New Montgomery and Third Streets; Lot 21 in Assessor's Block 3707. Request for approval of a proposal to upgrade the existing building's architectural rating, under Article 11 of the Planning Code, from "Category V, Unrated" to "Category III, Contributory." The subject property is zoned C-3-O (Downtown Office) District and is in a 300-S Height and Bulk District.

Preliminary Recommendation: Approval

# SPEAKER (S):

# (+) Stephen Becker – Executive Director of the San Francisco Historical Society

- The society is the official state historical society of the State of California. The society is a private and non-profit organization.
- The society moved to Mission Street in 1991 and is very proud to be part of the Yerba Buena neighborhood.
- There are many museums in the area now and many more that will be opening.
- The society is very proud of the building they currently occupy because of its historic beauty.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay MOTION: 16101

Note: Item 24 was taken out of order and followed item 22.

#### 24a. 2000.552XBCV

(LIGHT: 558:6254)

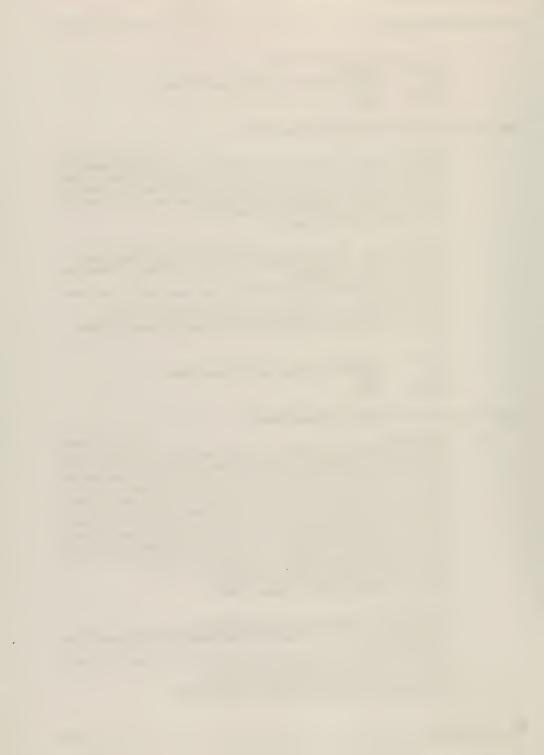
199 NEW MONTGOMERY STREET - east side between, and with secondary frontages on, Natoma and Howard Streets, Lot 21, in Assessor's Block 3722. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the rear yard requirements (Section 134(d)), an exception to the Separation of Towers requirement (Section 132.1(c)) and an exception to the Reduction of Ground Level Wind Current requirement (Section 148 (a)). The proposal is for the construction of a 15-story, 150-foot tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 8, 2001)

#### SPEAKER(S):

# (+) Tom Monahan - Monahan Pacific - Project Sponsor

- He is excited about bringing this project before the Commission. He believes that this is an excellent design.
- They were able to raise the residential component of this project therefore bringing in office space. Residential units will begin on the  $5^{\rm th}$  floor.
- There has been very positive feedback for this project.
- (+) Clark Manus Heller Manus Architects Project Architect



- Showed diagrams and went over the design of the project.
- Currently there is a parking lot on the site.
- This is a conservation district, which will be reflected in the design of the building.
- The building will have ground floor retail, three levels of office, and the remainder of the floors will contain residential.
- The open space of this project will be at the top.
- One of the amenities will have an indoor park.
- The units on the residential floors will be facing the street.
- There will also be parking below grade.
- The art portion will have art from Albert Pelley, world-renowned metal work artist.

#### (-) Lloyd Schlagle

- In the past four years the City has approved plans to build on 10 ground-parking areas. This is not an improvement to the City.
- All of the buildings in this area are commercial office buildings.
- This is not a residential area.
- This project is not necessary and we should preserve the downtown parking lot that exists here.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay MOTION: 16103

24b. 2000.552XBCV

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - east side between, and with secondary frontages on, Natoma and Howard Streets, Lot 21, in Assessor's Block 3722. Request under Planning Code Sections 320-325 (Office Development Limitation Program) for a 15-story, 150-foot tall building with up to 48,520 gross square feet of office space, approximately 100 dwelling units, 4,800 square feet of retail space, and 70 parking spaces, to be located on the site of an existing commercial surface parking lot. Pursuant to Planning Code Section 313, the Department has determined that the project would result in the net addition of approximately 48,520 square feet of gross floor area office use, requiring compliance with the Office of Affordable Housing Production Program. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 8, 2001)

SPEAKER(S): Same as those listed in Item 24a.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

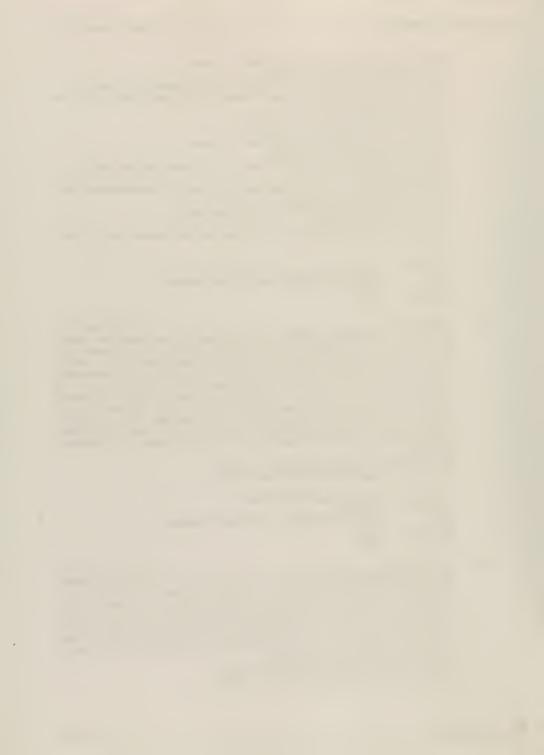
ABSENT: Fay
MOTION: 16104

24c. 2000.552XBCV

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - east side between, and with secondary frontages on, Natoma and Howard Streets, Lot 21, in Assessor's Block 3722. Request for a Conditional-Use Authorization to allow non-accessory parking. The proposal is for the construction of a 15-story, 150-foot-tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces, to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 8, 2001)



SPEAKER(S): Same as those listed in Item 24a.

ACTION: Approved

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay MOTION: 16105

24d. 2000.552XBCV

(LIGHT: 558:6254)

199 NEW MONTGOMERY STREET - east side between, and with secondary frontages on, Natoma and Howard Streets, Lot 21, in Assessor's Block 3722. Request under Planning Code Section 140 for a variance for dwelling unit exposure. The proposal is for the construction of a 15-story, 150-foot-tall building that would contain approximately 48,520 gross square feet of office use, 100 dwelling units, 4,800 square feet of retail use, and 70 underground parking spaces, to be located on the site of an existing commercial surface parking lot. The proposed project lies within a C-3-O (SD) (Downtown, Office) District and within a 150-S Height and Bulk District. (Continued from Regular Meeting of February 8, 2001)

SPEAKER(S): Same as those listed in item 24a.

ACTION: Zoning Administrator closed public hearing and granted the

variance

25. 2000.134X

(LeBLANC: 558-6351)

115 STEUART STREET a.k.a. 110-116 THE EMBARCADERO - a through lot from Steuart Street to The Embarcadero between Mission and Howard Streets, Lot 002 in Assessor's Block 3715. Request under Planning Code Section 309(g) for City Planning Commission Review related to Compliance with Section 138 for the Project proposed in Building Permit Application No. 2000/12/11/7669S/R1, which consists of the renovation of an existing two-story-over-basement building at 115 Steuart Street, and the addition of three new floors. The modified building would contain up to 23,500 square feet of net new office space and a 720 square-foot rooftop open space. The project lies within a C-3-O Zoning District and an 84-X Height and Bulk District.

Preliminary Recommendation: Staff recommends that the Commission determine not to conduct a hearing (pursuant to Section 309(g)).

#### SPEAKER(S):

# (+) Andrew Junius - Reuben and Alter - Representative of Project Sponsor

- He's not going to speak much especially since Ms. Hestor is not present.

- He agrees with everything that the planner has said.

- The only reason they are here today is because of a letter that Ms. Hestor sent to the Department, which was dated January 16, 2001. This letter doesn't even meet the minimum threshold of asking for a hearing under Section 309(g). Under this section, a person is supposed to identify modifications that one wants, state why the modifications are necessary and what policies they might support and state why there is something wrong with the project's open space and why it doesn't comply with the code. Ms. Hestor's letter doesn't state any of this.

ACTION: Determined not to conduct a hearing.

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay

# F. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **4:40** p.m. the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

26. 2000.097DD

Page 12

(BORDEN: 558-6321)



<u>2210 43RD AVENUE</u> - east side, between Rivera and Santiago Streets, Lot 041 in Assessor's Block 2307. Request for Discretionary Review to add a third story to the existing two-story single-family home. The front wall of the addition would be set back 3 feet from the existing front building wall and will have a balcony at the roof of the second story. The plans have been revised to make the rear wall of the new story even with the existing rear building wall, in the RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the Building Permit Application with modifications.

#### SPEAKER(S):

# (-) Carol Ann Sanders - DR Requestor

- She is concerned about her view and the neighborhood.
- There aren't any houses in the neighborhood this tall.
- She is concerned about the impact there will be on parking.
- The proposed construction will have eight rooms, which is just too much.
- She submitted a letter from a neighbor who has her same concerns.

# (-) Antoinette Bolonokoft – 2<sup>nd</sup> DR Requestor

- She lives across the street from the proposed project.
- Her concern in the impact the project will have on the neighborhood since this building is just too large for the area.
- She doesn't have any problems with the addition but she is not in agreement with the design.
- This project will not fit in, even with the three-foot setback.
- She agrees with the planner on many things but other items are just not right.

## (-) Ray O'Leary

- He lives across the street from the proposed project.
- He has been a resident of this block for 46 years.
- He just surveyed 300 houses and there are no vertical additions. There have been horizontal ones but not vertical.
- The neighborhood is so uniform that this structure will change the image. A box-like structure just does not fit into the neighborhood.
- If it could be modified, he would go along with it.

#### (-) Raul Artiga

- He agrees with the comments the previous neighbors have stated.
- He would also like to have the 3<sup>rd</sup> floor addition removed.
- The addition can be done horizontal with no problem.
- He provided some plans for the Commissioners with the design he recommends.

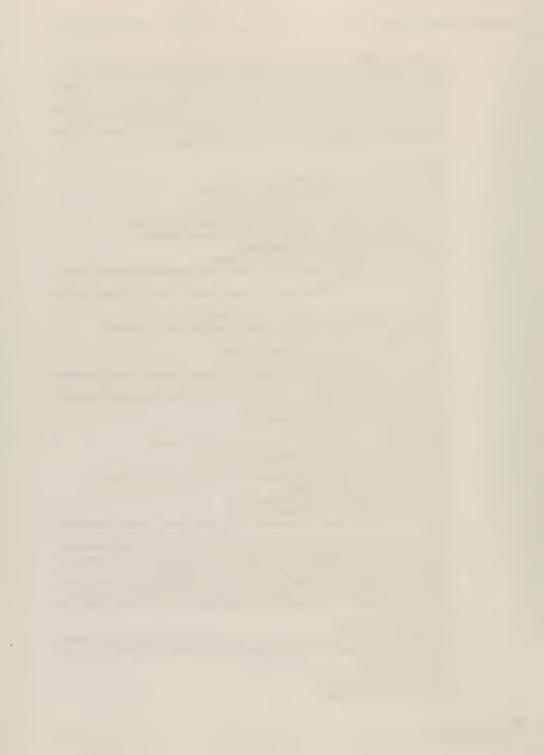
# (+) Annie Chong - Project Sponsor

- She and her sister are proposing this project.
- The proposed project will be a single-family home.
- They will be removing one of the bedrooms on the second floor to make a bigger living room.
- It is her culture to have all her family together. Right now there are seven family members living there. They don't have any intention to have more people living there.
- There are various two and three-story buildings in the neighborhood.
- They have spoken to a lot of people, which are in support of the project. Many people are working so she didn't feel comfortable enough to ask them to come to the hearing.
- There are not going to be additional people living there so there will not be additional parking problems.

# (+) Ann Berry - Neighbor

- She loves all her neighbors. She is very honored to have the project sponsor's family as neighbors for 10 years. They always keep the home clean. Their family is large but they are very united.
- She doesn't mind the construction to be vertical.
- Families are very important.

## (+) Ana Chong - Co-Sponsor



- She is married and has a son. Since he was born, the three of them were sharing a room.
- She would like to have more room so that their son can have his own room.

- She would like the Commission to approve the project.

ACTION: Take DR and approve project with modifications.

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

ABSENT: Fay

# 27. 2000.1009D

(BORDEN: 558-6321)

<u>2634 25TH AVENUE</u> - east side between Vicente and Wawona Streets, Lot 044 in Assessor's Block 2472. Request for Discretionary Review to construct a one-story vertical addition to the existing two-story, single-family home. This addition will be set back 5'-8" from the existing front building wall, and will stop 3'-6" short of the existing rear building wall. A portion of the roof deck proposed to the rear of the addition, which houses a fire escape, would overhang the rear yard by 4'-10" in the RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as submitted.

#### SPEAKER (S):

# (-) Roger Wong - DR Requestor

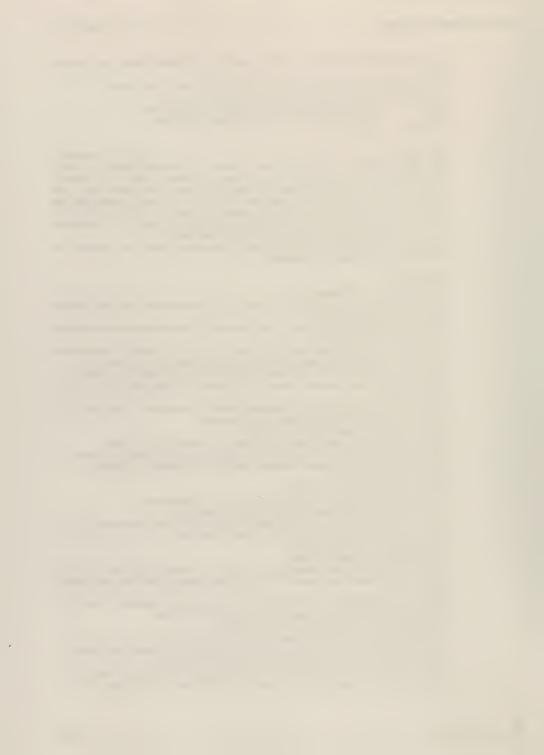
- As soon as he became aware of the project, he was concerned that the proposed project would block his sunlight.
- He contacted the project sponsor in order to reach a compromise so that at least his light well would not be blocked.
- He wasn't able to contact the project sponsor so he contacted a neighborhood association. When a meeting was scheduled, the project sponsor did not show up.
- So he figured that applying for a Discretionary Review would be the way to go about it.
- He bought his house because it has a lot of light and air. Neighbors should respect other neighbors.
- There is also a potential problem of leakage between the buildings. This concern was brought to the architect but the architect did not respond.
- A side setback would eliminate many problems.
- He has no objection to development but it should not be done at his expense.
- He passed to the Commissioners a petition signed by various neighbors who are in support of the project and agree to the good-neighbor modifications to the design.

# (-) did not state name

- She lives near the proposed project.
- She is concerned about having a third story built in her neighborhood.
- There is one house that has a third story and it is an ugly thing.
- There is a lot of fog in the area and creating a third story would block sunlight to the Wong's home, which will cause mold and mildew in their home.
- A little consideration has to be given.

# (+) Robert Mins - Project Architect

- Susan Chong and he are pleased to be working on a design for an addition that is respecting the neighborhood pattern as well as being integrated with the neighborhood pattern as well.
- Some of the neighbors are concerned that there is a boxed structure across the street and the neighbors feel that the design he is proposing will be similar.
- He displayed pictures of the proposed construction.
- This proposal is very close to the planning design guidelines.
- They have added many architectural elements that respect the neighborhood pattern.
- The addition follows the existing block face and rhythm of the street.
- After meeting with the DR requestor and reviewing some of the concerns of the neighbors, they have made revisions for both the neighborhood and DR requestor.



- The DR requestor is concerned that people hanging out from the fire escape balcony of the proposed construction, could easily travel onto his roof. The architect has made various changes in order to solve this problem.
- The DR requestor disapproves of Spanish-type tiles. But the predominant look of the other homes is Spanish.
- He performed a shadow study and he discovered that there would be no change in sunlight after the construction compared to the current home design.
- The DR requestor claimed that due to wind-blown rain, the DR requestor's drainage system would be overloaded. He conducted a calculation and taking into consideration the vertical wall, his downspout can handle 2.5 times the amount of water from a severe storm.

ACTION: Take DR and approve project as mended but removing the third

floor rear screens.

AYES: Baltimore, Chinchilla, Salinas, Theoharis

NAYES: Joe ABSENT: Fay

28. 1999.811D

(PUTRA: 558-6233)

1660 MISSION STREET - west side between South Van Ness Avenue and Thirteenth Street, Lots 5 and 6 in Assessor's Block 3512. Request for Discretionary Review of Building Permit Application No. 2000 0515 0033, to construct a six-story above grade level, approximately 76-feet-tall addition with 25,365 gross square feet of office and 5,073 square feet of parking at grade level. This is an addition to the existing 92,000-gross square-foot city office building, of which 22,610 square feet are in an underground garage, in a C-M (Heavy Commercial) District; and a 105-J Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as revised.

SPEAKER(S): None

ACTION: Without hearing, continued to March 1, 2001 AYES: Baltimore, Chinchilla, Joe, Theoharis, Salinas

ABSENT: Fay

# G. PUBLIC COMMENT

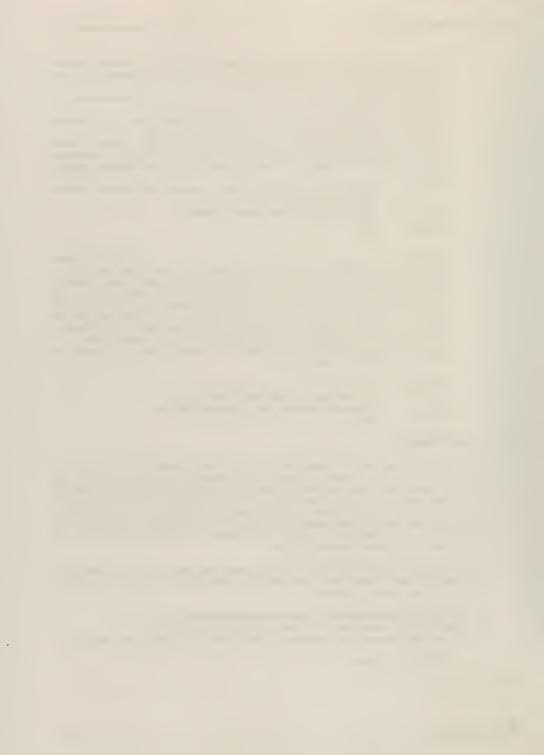
At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(s): None

Adjournment: 6:00 p.m.



THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 15, 2001.

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# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, March 1, 2001

1:30 PM

DOCUMENTS DEPT.

**Regular Meeting** 

MAY 1 5 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT: ABSENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:48 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Isolde Wilson; Catherine Bauman; Jim Miller; Dan DiBartolo; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

# A. ITEMS PROPOSED FOR CONTINUANCE

1. 2001.0071D (MEHRA: 558-6257) 2121 DIVISADERO STREET – west side between Sacramento and Clay streets, Lot 005 in Assessor's Block 1004. Request for Discretionary Review of Building Permit Application No. 2000/11/20/6273, proposing to remodel the 4th floor, construct a 22-foot addition at the rear on all four levels. The south side exterior wall between the stairs and garage will be pushed out by four feet so as to line up with the exterior garage wall. Lastly, the garage door will be widened to a maximum of 12 feet in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis



2. 1998.281BC

(GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing, in Assessor's Block 3803, Lot 5. Request under Planning Code Sections 320-325 for authorization to deduct up to 120,000 square feet of office space from the City's office development annual limit. The proposal is to construct a three-story addition to the existing office building. The site is located in the M-2 (Heavy Industrial) District, the Mixed-Use Area of the IPZ (Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South-End Office District and the 90-X Height and Bulk District. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square footage of office space per Planning Code Sections 313.4 and 314.4. Please note: Under Case No. 98.281V, an off-street parking variance for the proposed project was heard before the Zoning Administrator on August 23, 2000. This variance decision is currently pending before the Zoning Administrator. In addition, a rear yard variance, per Planning Code Section 134, for the proposed dwelling units at this site will be heard before the Zoning Administrator on March 28, 2001, under Case No. 2001.0179V.

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

3a. 1999.554BCD

(PURVIS: 558-6354)

601 KING STREET - south side between 7<sup>th</sup> and DeHaro Streets, Assessor's Block 3800, Lots 1 and 2. Request under Planning Code Sections 320-325 for authorization to deduct up to 237,500 square feet of office space from the City's office development annual limit. The proposal is to demolish two warehouse structures and construct a new office building. The project is designed as a PUD (Planned Unit Development), pursuant to Section 304, with exceptions from off-street parking standards under Section 151. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square footage of office space per Planning Code Sections 313.4 and 314.4. The site is within an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District, and is within the interim IPZ (Industrial Protection Zone). Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

3b. 1999.554BCD

(PURVIS: 558-6354)

601 KING STREET - south side between 7<sup>th</sup> and DeHaro Streets, Assessor's Block 3800, Lots 1 and 2. Request for Conditional-Use Authorization under Planning Code Section 304 to construct an office building with up to 237,500 gsf (gross square feet), designed as a PUD (Planned Unit Development), with exceptions from off-street parking standards under Section 151. The site is within an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District, and is within the interim IPZ (Industrial Protection Zone).

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

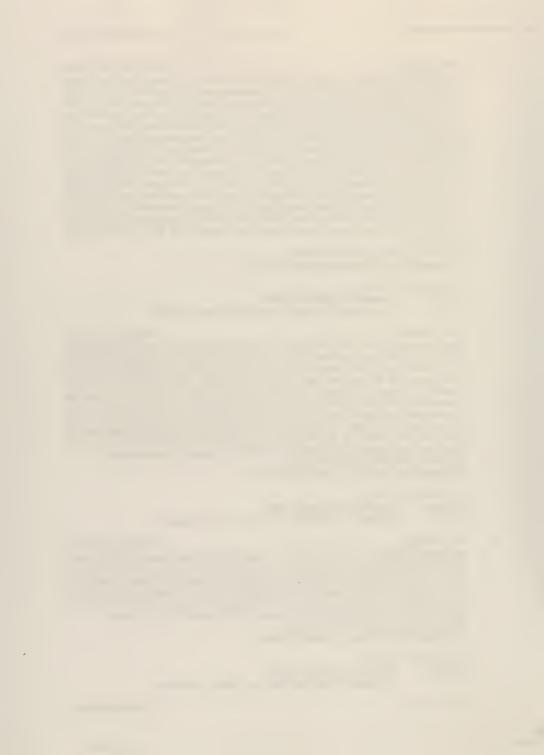
SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

3c. 1999.554BCD

(PURVIS: 558-6354)



601 KING STREET - south side between 7th and DeHaro Streets, Assessor's Block 3800. Lots 1 and 2. Request for Staff-Initiated Discretionary Review pursuant to Resolution No. 16079 to demolish two industrial warehouse structures and construct an office building with up to 237,500 gsf (gross square feet), designed as a PUD (Planned Unit Development), with exceptions from off-street parking standards under Section 151 The site is within an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District, and is within the interim IPZ (Industrial Protection Zone).

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

4a. 2000.277BXC

(CRAWFORD: 558-6358) 801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Planning Code Sections 320-325 (Office Development Limitation Program) for allocation of up to 136,600 gross square feet of office space for a 12-story building within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis AYFS:

4b. 2000.277BXC

(CRAWFORD: 558-6358) 801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance, for construction of a 12 story building including 136,600 gross square feet of office space. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Pending

(Proposed fro continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

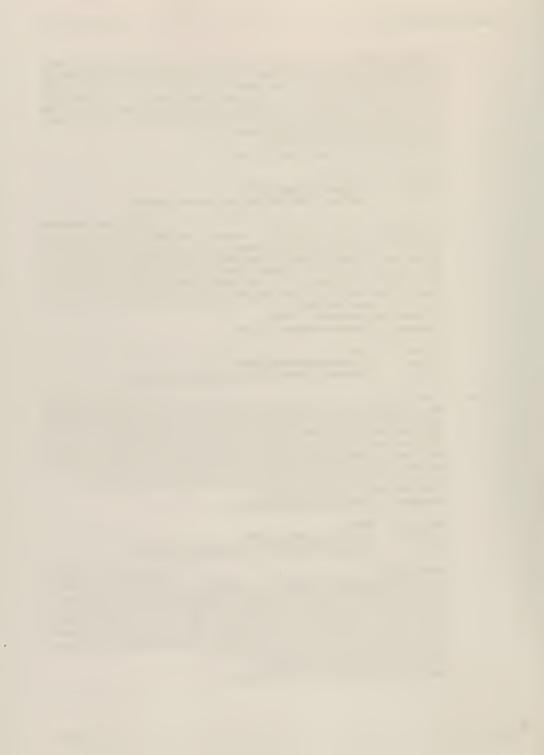
2000.277BXC 4c.

(CRAWFORD: 558-6358)

801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Request under Planning Code Section 219.c for professional or business offices not offering on-site service to the public in a C-3-R (Downtown, Retail) District. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)



SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

5a. 1999.603<u>B</u>X (LeBLANC: 558-6351) 555 MISSION STREET - south side of Mission Street between First and Second Streets, with a secondary frontage on Minna Street, in Assessor's Block 3721, Lots 69, 70, 78, 79, 80 and 81. Request under Planning Code Sections 320-325 for authorization to deduct up to 557,000 square feet of office space from the City's office development annual limit. The proposal is to demolish six vacant buildings and construct a 31-story, approximately 455-foot-tall office tower containing up to 557,000 gross square feet of office space as well as ground floor retail space, public open space and parking and loading spaces. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square footage of office space per Planning Code Sections 313.4 and 314.4. The project lies within a C-3-O (Downtown, Office) District and within 500-S and 550-S Height and Bulk Districts.

Preliminary Recommendation: Pending (Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

5b. 1999.603BX (LeBLANC: 558-6351) 555 MISSION STREET - south side of Mission Street between First and Second Streets, with a secondary frontage on Minna Street, in Assessor's Block 3721, Lots 69, 70, 78, 79, 80 and 81. Request under Planning Code Section 309 (Downtown Project) for Determinations of Compliance and Request for Exceptions, including an exception to the Separation of Towers requirement (Section 132.1(c)), exceptions to the Bulk requirements (Sections 270(d)(2), 270(d)(3)(A), and 270(d)(3)(B)), and an exception to the Reduction of Ground Level Wind Currents requirement (Section 148) for the demolition of six vacant buildings and the construction of a 31-story, approximately 455-foot tall office tower containing up to 557,000 gross square feet of office space, approximately 8,000 square feet of ground floor retail space, 11,140 square feet of public open space and 150 parking spaces. The project lies within a C-3-O (Downtown, Office) District and within 500-S and 550-S Height and Bulk Districts.

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None

ACTION: Continued to March 8, 2001

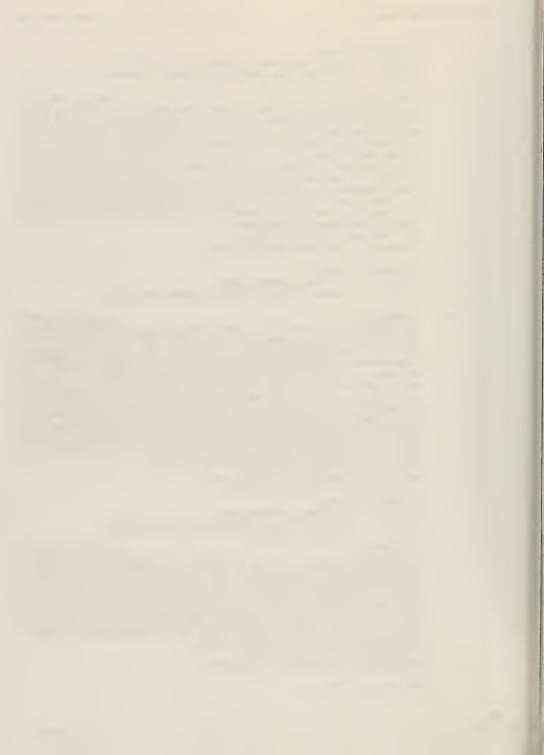
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

6. 2000.319B (LeBLANC: 558-6351) 235 SECOND STREET - east side of Second Street between Howard and Folsom Streets, with secondary frontages on Tehama and Clementina Streets, on Assessor's Block 3736, Lots 60, 61, 62, 64, 65, 66, and 67. Request under Planning Code Sections 320-325 for authorization to deduct up to 49,500 square feet of office space from the City's office development annual limit. The proposed project would convert 49,500 square feet of light manufacturing, production and distribution space into office space. The site is located in the C-3-O (SD) (Downtown, Office, Special Development) District, and within 200S and 350S Height and Bulk Districts.

Preliminary Recommendation: Pending

(Proposed for continuance to March 8, 2001)

SPEAKER(S): None



ACTION: Continued to March 8, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

7a. 2000.986<u>X</u>BCH (LIGHT: 558-6254)

150 POWELL STREET - east side at the southeast corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Planning Code Section 309 (Downtown Code) for Determination of Compliance and Exceptions, including an exception for the off-street freight loading requirement (Section 132.1(c)), an exception to the sunlight access requirement (Section 146), a height exception in the 80-130-F height and bulk district (Section 263.8), and a bulk exception (Section 272), in a C-3-R (Downtown Retail) zoning district and a 80-130-F height and bulk district. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven-story horizontal addition and a three-story vertical addition, to the existing Category IV building. The expanded building would contain two stories of retail and five stories of office.

Preliminary Recommendation: Pending

(Proposed for continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

7b. 2000.986XBCH (LIGHT: 558-6254) 150 POWELL STREET - east side at the southeast corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Planning Code Sections 320-325 (Office Development Limitation Program) for a 7-story, 122-foot tall building with up to 70,000 gross square feet office space, approximately 40,000 square feet of which would be net new office space, and approximately 41,000 square feet of retail space, in a C-3-R (Downtown Retail) zoning district and a 80-130-F height and bulk district. Pursuant to Planning Code Section 313, the Department has determined that the project would result in the net addition of approximately 40,000 square feet of gross floor area office use, requiring compliance with the Office of Affordable Housing Production Program. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven story horizontal addition and a three-story vertical addition, to the existing Category IV building.

The expanded building would contain two stories of retail and five stories of office. Preliminary Recommendation: Pending

(Proposed for continuance to March 15, 2001)

SPEAKER(S): None

stories of office.

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

7c. 2000.986XBCH (LIGHT: 558-6254)

150 POWELL STREET - east side at the corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Planning Code Section 219(c) for a Conditional Use Authorization for office uses in a C-3-R zoning district and a 80-130-F Height and Bulk District. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven-story horizontal addition and a three-story vertical addition, to the existing Category IV building. The building would contain two stories of retail and five

Preliminary Recommendation: Pending



#### (Proposed for continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

7d. 2000.986XBCH (LIGHT: 558-6254)

150 POWELL STREET - east side at the southeast corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Section 1111.6 for a Permit to Alter for major alterations to a Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven-story horizontal addition and a three-story vertical addition, to the existing Category IV building. The building would contain two stories of retail and five stories of office.

Preliminary Recommendation: Pending

(Proposed for continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

8. 2000.183D (MILLER: 558-6344) 800 POWELL STREET (aka 105 MILES) – east side, north of California Street between Powell and Stockton Streets, Lot 54 in Assessor's Block 243. Request for Discretionary Review of Building Permit Application No. 2000-06-21-3244S proposing to construct a one-story addition to an existing sports facility in conjunction with the adjacent University Club (800 Powell Street), pursuant to a Conditional-Use Authorization on August 20, 1998, by Planning Commission Motion No. 14681 (Case No. 1997.358C). The addition would accommodate squash courts, an exercise and fitness center, as well as shower and locker facilities. This property is within an RM-4 (Mixed Residential, High Density) District, the Nob Hill Special Use District, and a 65-A Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Proposed for continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

9. 2000.1310C (DiBARTOLO: 558-6291) 1268 GRANT AVENUE - southeast corner of Grant Avenue and Vallejo Street; Lot 044 in Assessor's Block 145. Request for Conditional-Use Authorization to allow amplified live and recorded music (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing full-service restaurant and bar, d.b.a. Basta Pasta, as required by Planning Code Section 722.48, in the North Beach Neighborhood Commercial Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

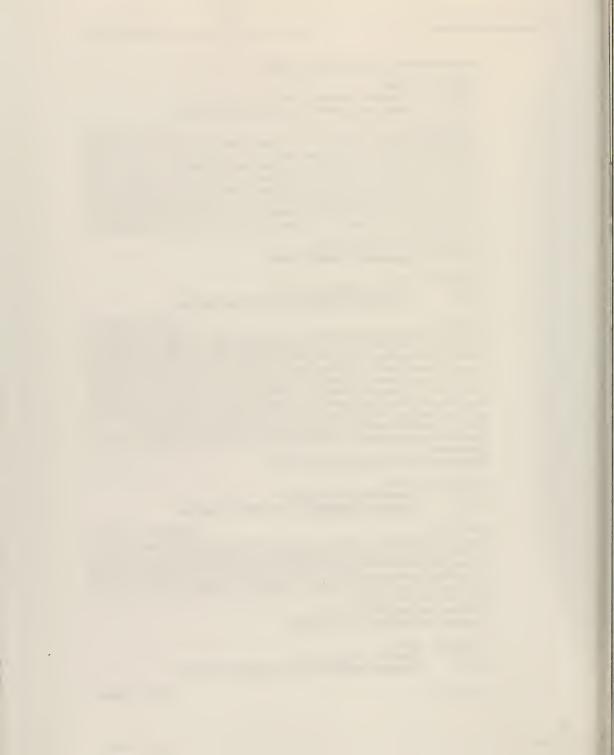
(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

10. 2000.1058E (DEAN: 558-5980)



1598 DOLORES STREET - located at the northwest corner of Dolores and 29<sup>th</sup> Streets; Assessor's Block 6618; Lots 7, 9, 38. **Appeal of a Preliminary Negative Declaration**. The proposed construction consists of two, four-story residential buildings with a total of 13 units (two of which would be affordable units) and demolition of an existing two-story mortuary building. The project would provide 13 off-street parking spaces. The proposed project site is 10,500 sq. ft. and is located in the NC-1 (Neighborhood Commercial Cluster) District. The project would require Conditional-Use Authorization by the City Planning Commission.

Preliminary Recommendation: Uphold Negative Declaration

(Proposed for continuance to April 12, 2001)

SPEAKER(S): None

ACTION: Continued to April 12, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

11. Consideration of Adoption - draft minutes of February 15, 2001.

SPEAKER(S): None

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### Commission Matters

#### Commissioner Theoharis:

She requested an update on whether or not the Planning Director or the Commission Secretary contacted BOS regarding the scheduling conflict of hearings between the Land Use Committee and the Planning Commission.

#### C. DIRECTOR'S REPORT

13. Director's Announcements

Re: Commissioners' Training

- The Commission desires to have some sort of training.

- The Friends of City Planning (FOCP) is prepared to underwrite the attendance at the League of California Cities which will be held from March 21 to 23, 2001. This will provide training on recent laws and will enable the Commissioners to speak to other Commissioners and network.
- Although this might not accommodate all the Commissioners, the FOCP is prepared to fund six Commissioners (@ \$350 per Commissioner) to attend this or other training.
- Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOS
  - The Planning Director and Hillary Gitelman, Chief, Environmental Planning, attended the Public Health and Environment Committee for the purpose of responding to questions on "server farms,"/"computer hotels." It was a very worthwhile hearing and a lot of information came out of that hearing. Items discussed were related to energy consumption, how the department was reviewing these types of requests, etc.

#### BOA

None

15. (GREEN: 558-6411)

Status Report on Annual Office Limit

SPEAKER(S):



#### Sue Hestor

- She would like to know when the public would be allowed to have input on this item.
- Is the public testimony on the 15th or the 22nd of March?
- She would just like to have some sort of information in writing for the public.

#### Jeff Heller

- He has concerns about having outside architects consider the projects.
- Bringing outside people created several major problems in the past.
- The people who came in were not substantially educated in regards to Master Plans, etc. Eventually, this idea was abandoned.

#### Joe O'Donaghue

- Responding to Commissioner Baltimore's question regarding housing and what we can expect regarding low cost housing, not affordable housing--we should look to the past. In the past, a certain amount of housing and millions of dollars were collected for extraction fees from downtown developers. We need to see what we did with those millions of dollars.
- Part of the analysis of today is to look at what worked before.
- We also need to see who were the benefactors of that non-profit housing.

#### John Bardis

- Mr. O'Donaghue has a very interesting analysis.
- The Commission needs to look deeply in the process of fees being asked as mitigation measures for the housing impacts of these developments that are being submitted for application.
- This has been a problem the City has had for 30 to 40 years. The imbalance between what we are providing in terms of construction of facilities that can expand the construction work force and the construction of the housing to house that work force.
- Because of that imbalance we have the problems we have today.

#### **David Cincotta**

- He is one of the participants of the projects being considered next week. People are wondering how much time they have available, how these projects will be presented, etc.

#### D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

16. 1999.770DDDDD

(WILSON: 558-6602)

<u>567 - 569 SANCHEZ STREET</u> - east side between 19th and Hancock Streets; Lot 032 in Assessor's Block 3585. The proposal is to demolish an existing single-family dwelling with a detached garage and construct a new three-story plus attic-over-garage, two-family dwelling, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of February 1, 2001)

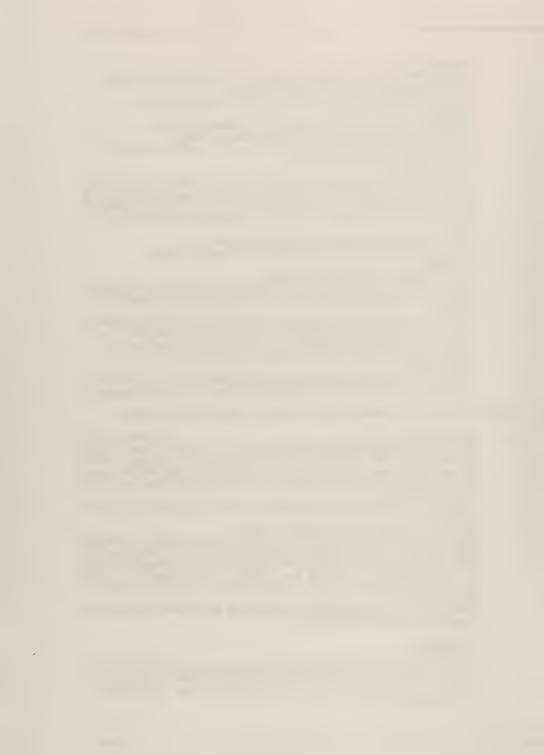
Note: On February 1, 2001, after public testimony, the Commission closed the public hearing. A motion of intent to take Discretionary Review and approve the staff recommendations and reduce the height of the project, passed by a vote +5 -1, Commissioner Joe voted No. Project will be brought back to the Commission on February 22, 2001. Public comment will only be allowed on accuracy of plans.

Note: Without further Hearing/Consideration, the project was continued from Regular Meeting of February 22, 2001.

#### SPEAKER(S):

#### (+) Alice Barkley

- At the end of the first hearing the Commission made a motion of intent to make certain revisions. One of the staff recommendations was a setback to match the lightwell of Mr. Moran. This has been done. The sponsor would lower the building. The building has been redesigned to be lower.



- The building has been lowered 5½ feet from the first design.
- All the conditions the Commission requested have been met.

#### (+) Joe O'Donaghue

- There have been substantial reductions made to the building.
- This is a single family who would just like to have their family together.
- The opposition will always be in opposition. The Commission just needs to bring a closure to this. To string it out further will just be a great detriment to this family.

#### (+) Patrick McGrew - Project Architect

- There has been a considerable amount of compromise in the changes of design to meet the request of the neighbors.
- There have been many changes done already to the design to match the design of the neighborhood.
- No matter what is done, the opposition will always be in disagreement.

#### (-) Joe Butler - DR Requestor

- What he is asking for is what is in their brief, which was distributed a week ago. He doesn't understand why the Planning Director just viewed it last night.

#### (-) John Litgo

- He would like to thank the Commission for taking all this testimony into consideration.
- Although they are very disappointed with the fact that the Commission didn't accept their settlement envelope, they certainly respect the opinion of the Commission.
- At the previous hearing, Commissioner Fay asked how much could the building be lowered. Department of Public Works has determined that the house could be lowered without disrupting the sewer.
- If the Commission were to accept the project sponsor's new design, the Commission would be rewarding them for failing to provide correct information.

#### (-) Ron Slain

- He lives across the street from the project sponsor.
- He resents that Mr. O'Donaghue has to speak badly about the neighborhood.
- Even with the changes made by the Commission, there is still a negative impact.
- This does nothing to improve the light and air issues.
- They feel that they are back at "square one!"

#### (-) Bob Nelson

- He and his wife live on the same block as the proposed site.
- The offer the new design proposed will still have a shadow impact on his house.
- It is still possible to lower f the building three more feet.
- If a north lightwell could be built, it would allow a lot more sunlight to his property.
- Please adopt their settlement offer.

#### (-) Joann Nelson

- She lives next door to the proposed building.
- She and her husband have done a lot of renovations to their home in order to let more light come into their home. This has taken a lot of money and effort.
- The proposed construction will block much sunlight into their home.
- There will also be a considerable amount of heat lost. It will be very cold.
- It is a very noble cause to take an elderly parent into your home yet it doesn't have to be such a tall home.

#### (-) Michael Moran

- He is also a next-door neighbor on the uphill side.
- He would like the Commission to require that all deck rails on the proposed project be as open as possible in order to have more sunlight come into his property.
- Another request would be that all the vertical walls should be set back five feet.
- Please adopt their settlement envelope.

#### (-) Joe Butler

- Displayed a design, which shows the spirit and intent of the Commission.
- The fifth level still needs to be mitigated regarding the light and air issues.



ACTION: Take DR and approve project with open railings (all around) and a

15-foot setback on vertical wall.

AYES: Baltimore, Chinchilla, Joe, Salinas, Theoharis

NAYES: Fay

#### E. REGULAR CALENDAR

17a.

2000.1269RB

(BAUMAN: 558-6287)

INDIA BASIN INDUSTRIAL REDEVELOPMENT PROJECT AREA PLAN AMENDMENT/
3433 THIRD STREET) - Request for a finding of consistency with the General Plan for an
amendment to the Redevelopment Plan for the India Basin Industrial Park. The
amendment would apply to Lot 23 in Assessor's Block 5203, 3433 Third Street at the
southeast corner of Cargo Way. It would allow up to 50,000 gross square feet of Retail
and Business Services uses (a category that includes business and professional offices)
and would reduce the parking requirement to one space for each 1,000 occupied square
feet of Business Services space, and one space for each 7,000 gross square feet of
telecommunication space. It would reduce the loading requirement to one space for each
100,000 square feet of Retail, Business Services, and Telecommunications space. This
amendment would enable the construction of a proposed development at 3433 Third
Street, described below.

Preliminary Recommendation: Find the proposed amendment of the Redevelopment Plan consistent with the General Plan.

(Continued from Regular Meeting of February 8, 2001)

#### SPEAKER(S):

#### (+) Stanley Miraoka - Project Manager

- The proposed plan came about as a result of the Agency processing the allocations of this building.
- The existing plans permit up to 196,000 square feet of retail and business space.
- The bulk exists at Bay View Plaza.
- This is an appropriate plan amendment.
- They have made a determination that the limitation on the parking and loading requirements are fine.
- The building will be mixed use--commercial and retail.

#### (-) Sue Hestor

- At the hearing of the BOS some important information came up. This building will take about 25 megawatts of electricity.
- In San Francisco there has been a proposal to replace the power station in the Bay View Hunters Point area.
- If the Potrero Hill plan comes about, this power station will not be able to be closed and many people will still suffer from health problems.
- This project has to abide by the energy standards imposed on the City.

#### (+) Steve Vettel

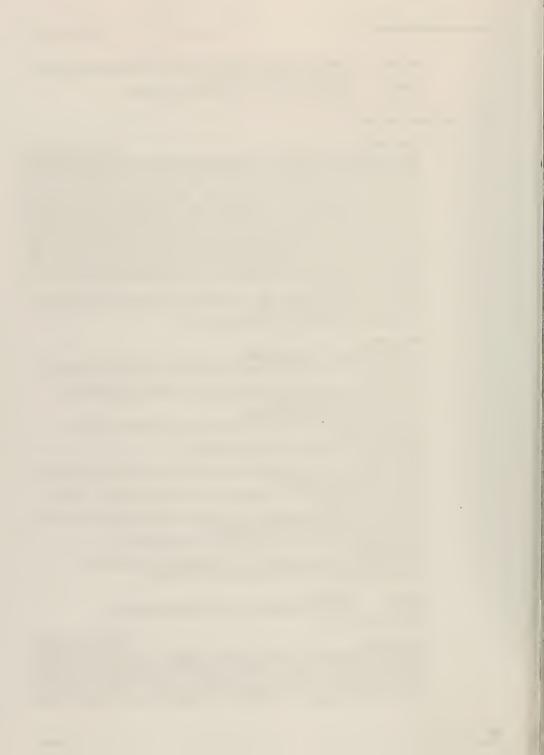
- The energy demand on this project will be 7 megawatts of electricity not 25.
- What's before the Commission is the office and the retail plan.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

RESOLUTION: 16106

## 17b. 2000.1269RB (BAUMAN: 558-6287) <u>INDIA BASIN INDUSTRIAL REDEVELOPMENT PROJECT AREA PLAN AMENDMENT/3433 THIRD STREET</u>) – Lot 23 in Assessor's Block 5203. Authorization of up to 42,000 square feet of office space from the "Reserve for Smaller Buildings" established in Planning Code Section 321 (Office Development Annual Limit). This notice shall also set forth an initial determination of net addition of gross square feet of office space, pursuant



to Planning Code Sections 313.4 and 314.4. The proposal is the construction of 3433 Third Street (at the southeast corner of Cargo Way), a five-story building containing an approximately 111,000 square feet of telecommunications switching facility; 42,000 square feet of office space; 7,500 square feet of retail space; a 6,000-square-foot public plaza and 73 parking spaces. The site is in the India Basin Industrial Park Redevelopment Area, and in the M-2 Zoning District and the 65-J Height and Bulk District Preliminary Recommendation: Allocate up to 42,000 square feet of office space from the "Reserve for Smaller Buildings."

(Continued from Regular Meeting of February 8, 2001)

SPEAKER(S): Same as those listed in item 17a.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

RESOLUTION: 16107

18a. 2000.171C<u>X</u>

(MILLER: 558-6344)

466 BUSH STREET - north side between Grant Avenue and Kearny Street, Lot 42 in Assessor's Block 270. Request for Determination of Compliance pursuant to Section 309 with respect to a proposal to construct a ten-story Hotel approximately 99 feet in height and containing approximately 91 guest rooms, also involving a request for exceptions to Planning Code standards for building height and bulk (Sections 263.8 and 272, et seq.) in a C-3-R (Downtown Retail) District and a 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 22, 2001)

#### SPEAKER(S):

#### (+) Steve Nixon

- He is available to answer any questions.

#### (+) Alice Carrey

- She is the owner of the adjacent building.
- There were several points missed by the planner.
- The project sponsor shall protect various parts of her building.
- The project sponsor and she agreed on various items.
- There is a fence, which is badly deteriorated, and posters are always being posted.
- People who post posters on the fence of the empty site at 466 Bush make a mess and get glue on the stone of her bldg.

ACTION: Approved Under Section 309.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16108

18b. 2000.171CX

(MILLER: 558-6344)

466 BUSH STREET - north side between Grant Avenue and Kearny Street, Lot 42 in Assessor's Block 270. Request for authorization of a Conditional Use for modification of a previously imposed condition (time limit for start of construction Motion No. 14797) for a hotel containing approximately 91 rooms in a C-3-R (Downtown Retail) District and a 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of February 22, 2001)

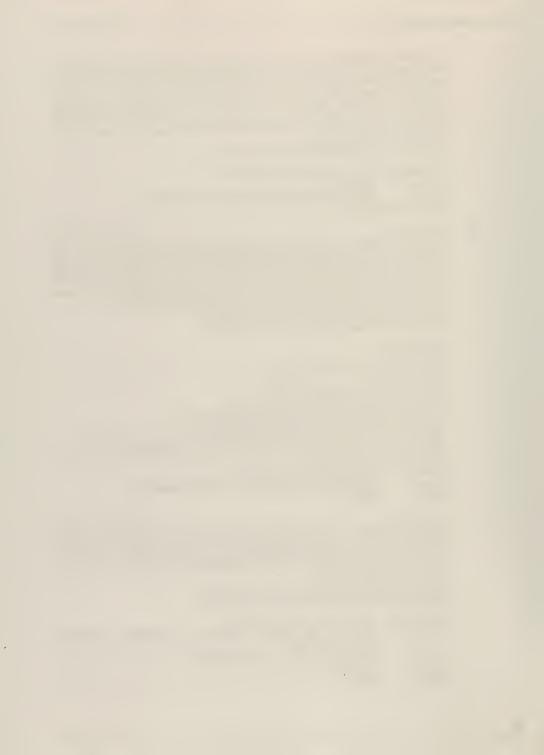
SPEAKER(S): Same as those listed in item 18a.

ACTION: Approved with amended conditions (in addition to the Jobs

Housing Linkage).

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

NAYES: Chinchilla MOTION: 16109



#### F. SPECIAL DISCRETIONARY REVIEW HEARING

Following the Regular Calendar, the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

#### Note: The next item followed item 17a and b.

#### 19. 2001.0078D

(DiBARTOLO: 558-6291)

1831 - 1837 STOCKTON - west side between Lombard and Greenwich Streets, Lot 005 in Assessor's Block 0076. Request for Discretionary Review of Building Permit Application No. 2000/10/12/2890, to convert a four-unit building to a three-unit building in an RM-1 (Residential, Mixed Low Density) District and a 40-X Height and Bulk District. Specifically, the proposal will merge two dwelling units on the third floor. No exterior alterations are proposed.

Preliminary Recommendation: Do not take Discretionary Review and approve building permit as submitted.

(Continued from Regular Meeting of February 8, 2001)

#### SPEAKER(S):

#### (+) Michael Levit - Project Sponsor

- During the previous hearing, he presented signatures of about 50 neighbors expressing support for this project.
- He and his fiancée began looking for a single-family home and after a while came to the conclusion that this was not going to happen.
- They were finally able to make a down payment on this property.
- The project would be vacant without having done any evictions or Ellis Act.
- Merging the two units didn't seem to be a problem.
- They have gone through all the proper procedures.
- They are pouring a lot of money into a home that they are not sure will continue to be their home.
- They ask that the Commission approve their project as designed.

#### (+) Joe O'Donaghue

- The space where this couple will be living is not a lot.
- They are also renovating the other unit in order to have some rental income.
- It is hard for couples to be able to afford to live in this City.

ACTION: Do not take DR and approve project as proposed. Motion Failed.

AYES: Baltimore, Fay, Joe

NAYES: Chinchilla, Salinas, Theoharis

ACTION: Because the request for discretionary review (DR) did not obtain a

majority vote of the Commission, the request for DR fails.

20. 1999.811D (PUTRA: 558-6233)

1660 MISSION STREET, west side between South Van Ness Avenue and Thirteenth Street, Lots 5 and 6 in Assessor's Block 3512. Request for Discretionary Review of Building Permit Application No. 2000 0515 0033, to construct a six-story above grade level, approximately 76-feet-tall addition with 25,365 gross square feet of office and 5,073 square feet of parking at grade level. This is an addition to the existing 92,000-gross-square foot city office building, of which 22,610 square feet are in an underground garage, in a C-M (Heavy Commercial) District; and a 105-J Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as revised.

(Continued from Regular Meeting of February 22, 2001)



SPEAKER(S): None

ACTION: Without hearing, continued to April 5, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the Commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

#### Joe O'Donaghue - Residential Builders

Re:

- When left-wing groups take power they become more reactionary than their right-wing counterparts.
- This is not a progressive City -- it is regressive.
- Both of these contentions were validated at a Board of Supervisor's hearing recently.
- The Land Use Committee holds hearings at the same time as the Planning Commission hearings. This is an unprecedented move.
- The Board staff guaranteed him personally that because of the large body of people expected, the hearing would be held in the large hearing room.
- Three minutes per person have always been allocated to both sides.
- Ms. Hestor has come before the Planning Department requesting that the public receive due notice on information regarding land use matters 10 to 30 days in advance, something that the new Board of Supervisors has conveniently forgotten about.
- Regardless of what the press has said, what happened was that he and other members arrived early for the moratorium hearing and were sitting quietly in the large Board of Supervisor's chambers. They were then informed that the hearing was changed to a smaller hearing room. He left the chambers and went to the smaller hearing room. He requested a point of order on the parliamentary rule. Mr. McGoldrick denied his point of order since the meeting had not yet begun. He asked Mr. McGoldrick why the meeting had been moved to a smaller hearing room. Mr. McGoldrick refused to answer but later mentioned that it was for security reasons. He then later asked the sheriff to escort me out of the hearing room.
- His organization has never been disruptive in any of the meetings they attend.

Adjournment: 4:40 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 22, 2001.

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55 10 18/01

# SAN FRANCISCO PLANNING COMMISSION

## **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, March 8, 2001

1:30 PM

DOCUMENTS DEPT.

**Regular Meeting** 

JAN 1 1 2002 SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 p.m.

STAFF IN ATTENDANCE: Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; David Alumbaugh; Pedro Arce; Elizabeth Gordon; Rick Crawford; Kelley LeBlanc; Sailesh Mehra; Glenn Cabreros; Michael Smith; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2000.739E (BLOMGREN: 558-5979) 298 SHIPLEY STREET - northeast corner of Shipley and Sixth Street, Assessor's Block 3753, Lots 122. The proposal is an Appeal of a Preliminary Negative Declaration to construct a three-story building containing a total of 32 live/work units and 32 off-street parking spaces. The site currently has a vacant one-story auto sales building, which would be demolished. The new building would reach a maximum height of 45 feet in a 40-X height/bulk district. The site is with a South of Market RSD (Residential/Service) Mixed-Use District, an MUHZ (Mixed-Use Housing Zone) interim zoning district, and a 40-X Height and Bulk District.

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla



2. 2000.677C

(CHIN: 575-6897)

373 BROADWAY STREET - southeast corner of Broadway Street and Bartol Street; Lot 018 in Assessor's Block 0164. Request for Conditional-Use Authorization pursuant to Section 714.83 of the Planning Code to install a total of twelve antennas and a base transceiver station on an existing four-story over basement building, as part of AT&T's wireless cellular network in the Broadway (Neighborhood Commercial) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of February 8, 2001)

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

3a. 2000.190<u>B</u>X

(LeBLANC: 558-6351)

201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Sections 320-325 for authorization to deduct up to 44,500 square feet of office space from the City's Office Development Annual Limit. The proposal is for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of February 8, 2001 and re-noticed for March 15, 2001, because of change in project description- project added 2 stories and 9,500 square feet of office space by request of applicant)

(Proposed for continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued to March 15, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

3b. 2000.190BX

(LeBLANC: 558-6351)

201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the setback requirements of Section 132.1 of the Code for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of February 8, 2001, and Re-noticed for March 15, 2001, because of change in project description- project added 2 stories and 9,500 square feet of office space by request of applicant)

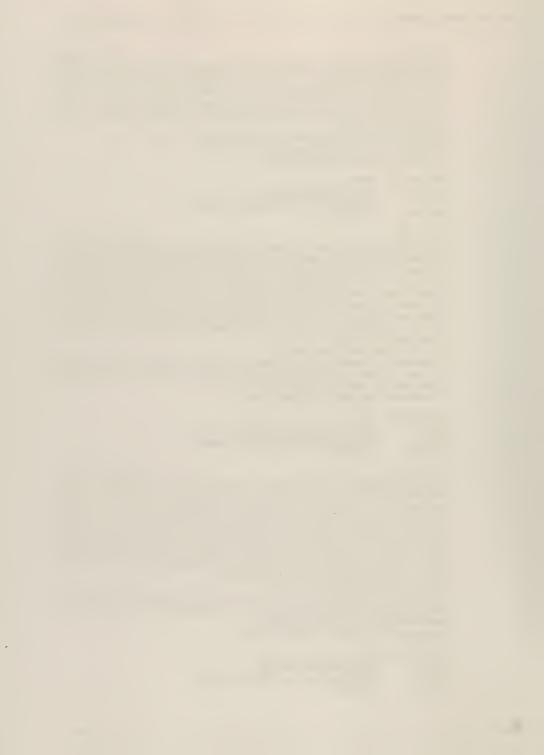
(Proposed for continuance to March 15, 2001)

SPEAKER(S): None

ACTION: Continued March 15, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla



4. 2000.1061E

(WYCKO: 558-5972)

400 PAUL AVENUE - bounded by Paul Avenue, Third Street, Bayshore Boulevard and railroad spur track, lot 14 of Assessor's Block 5431A. The proposal is an **Appeal of a Preliminary Negative Declaration** for the demolition of an existing, 40-foot-high warehouse/distribution building which totals approximately 89,400 gross-square-feet to be replaced by a newly constructed 65-foot-high structure with 339,300 gross-square-feet of space for Internet and telecommunication equipment and 155 off-street parking spaces. The proposed facilities would be warehouses for telecommunication switches and operational equipment that provides data services to Internet users. The proposed project is an allowed use within M-1 District and is situated within an Industrial Protection Zone.

Preliminary Recommendation: Uphold Preliminary Negative Declaration (Proposed for continuance to March 22, 2001)

SPEAKER(S): None

ACTION: Continued to March 22, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

5. 1999.563D

(WILSON: 558-6602)

<u>806-808 HAIGHT STREET</u> - north side between Scott and Divisadero Streets, Lot 008 in Assessor's Block 1238, proposing to merge Units 806 and 806A in order to reduce the number of dwelling units in the building from three to two in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending (Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

6. 2000.1047D

(SMITH: 558-6322)

4023 – 25<sup>TH</sup> STREET - south side of the street between Noe and Sanchez Streets, Lot 040 in Assessor's Block 6548, request for Discretionary Review of Building Permit Application No. 2000/11/08/5161 proposing to merge Units 4023 and 4025 in order to reduce the number of dwelling units in the building from two to one in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

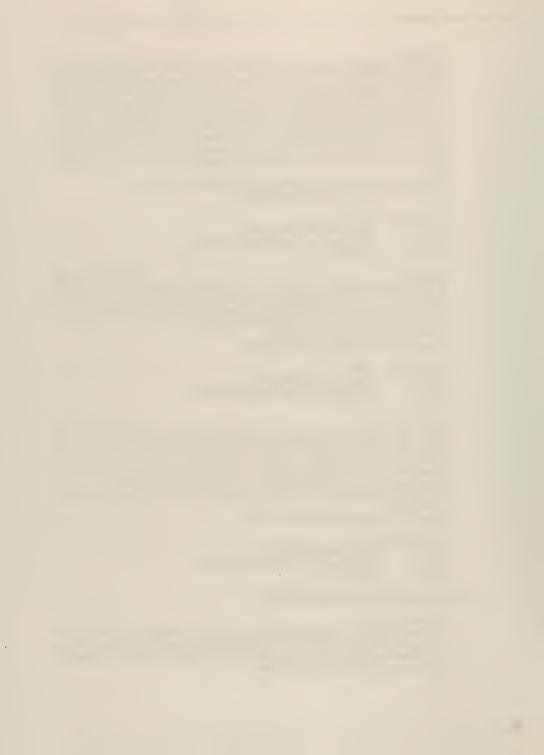
AYES: Baltimore, Fay, Joe, Salinas, Theoharis

ABSENT: Chinchilla

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

#### 7. Commission Matters

President Theoharis requested a status report on the scheduling conflict between the regularly scheduled time for the weekly Planning Commission hearings and the new scheduled time for the weekly meetings of the Board of Supervisor's Housing, Land Use and Transportation Committee.



#### C. DIRECTOR'S REPORT

8. Director's Announcements

The Director reported that Supervisor McGoldrick was looking into the matter of the scheduling conflict that exists between the meeting times of the Planning Commission and the Board's Housing, Land Use and Transportation Committee.

 Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOS – None

BOA - None

10. 2844 Greenwich Street -Status Report

(CHIN: 575-6897)

SPEAKER(S): None

ACTION: Without hearing, continued until staff brings this back to the

Commission.

11. 1298 Ocean Avenue (Sunset Garage) - Status Report

SPEAKER(S):

Don Swietzer

- He wanted to thank the Commission for their sensitivity to this issue and the continuing work the Planning Department is doing. This business represents a blight on this neighborhood.
- He encourages the Commission and the Planning Department to continue working on this matter.

ACTION:

Meeting held. No action required

12. (ALUMBAUGH: 558-6601)

<u>BETTER NEIGHBORHOODS 2002</u> – Informational Presentation Regarding Balboa Park Station Area Plan.

(Continued from Regular Meeting of February 22, 2001)

SPEAKER(S):

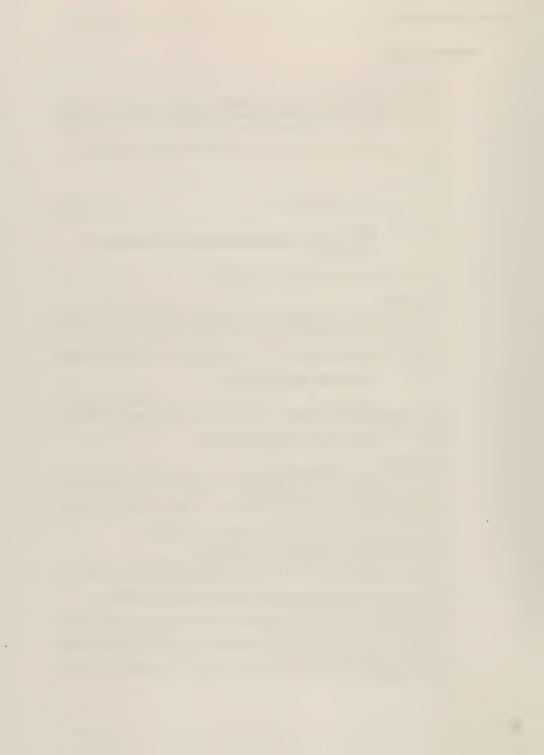
#### (+) Tim Radulovich - Elected Bart Director

- He is not always a fan of the Planning Department yet he had to come to speak on this matter because he really agrees with the plan.
- Neighborhood planning hasn't been very popular, yet right now there are very good planning staff working on this project.
- The Department is really letting this plan go where it should be going.
- This plan has been stimulating a lot of investments.
- This project helps to bring forward many plans for MUNI.
- Through this plan, City College to gotten involved with the community.
- The only concern or issue he has is that he would hope that this plan moves a little faster.

#### (+) Steven Currier - President of the Outer Mission Residents Association

- He is very excited about this project.
- A while ago he brought concerns about this area to the Commission and he is happy to see everything moving in the right direction.
- The area of the Geneva Office Building is a gem of an architectural dream for students to participate in and find ways to fix it up.
- He is very happy with the Planning staff that is working on this project and hopes that the Commission approves this plan.

Page 4



#### (+) Rebecca Silverberg - Ocean Avenue Neighborhood Association

- This plan would bring the district together since the freeway divides it.
- This plan is very important to the community. She would love to make this move faster but she is happy anyway.

#### (+) Bette Landis - District 7 - Ingleside Terrace Homes Association

- This area hasn't always received the kind of attention it is receiving now. The Department has done a tremendous job.
- We have come a long way to improve transit and planning in various areas.
- Thank you so much for all the hard work.

#### (+) Regina Blosser - OMI Neighbors in Action

- It is great how the Planning Department has done outreach to the neighbors by mailing out postcards with information on this plan to every neighbor in the community.
- The Community meetings have been very successful, bringing neighbors out to express their concerns and ideas.
- Just the postcard is nice by making it attractive and getting people interested.
- They are very grateful that the Planning Department has come in like the "United Nations Peace Keeping Organization" to make all the neighborhood associations work together.

#### (+) Dan Weaver - Ocean Avenue Renaissance Committee

- The last 50 years has not been good to Ocean Avenue. Their idea is to turn back the clock and improve the area.
- They would like the Department to design some guidelines to continue giving this area an improvement.
- They would also like to encourage the Commission to continue working on the Phelan Loop.

#### (+) Bob Swietzer - Ocean Avenue Renaissance Committee

- This is an important project. They have invited and encouraged the Planning Department to be involved in this area.
- He would like for this plan to move a little faster.
- The Phelan Loop is an important part of this process.
- He expressed his thanks also.

#### ACTION: No Action Required – Informational Presentation Only

#### E. REGULAR CALENDAR

#### 13a. 2000.1293B

(ARCE: 558-6332)

MISSION BAY SOUTH (MBS) BLOCK 28 - Request under Planning Code Section 321 (Office Development Annual Limit) for a determination of design consistency and Project Authorization of the proposed office development for a five- and six-story building, including 285,150 square feet of office space, and 23,040 square feet of areas for service, mechanical equipment, and common areas, for a total of 308,290 gross square feet. On May 11, 2000, the Planning Commission by Resolution No. 15055 authorized the design of a building of approximately 302,000 gross square feet on MBS Block 28 and granted a Project Authorization for 225,004 square feet of office space within that building, (Case No. 2000.329B). This application is for the Planning Commission to consider a Project Authorization that would increase the approved office area by approximately 60,150 square feet, for a total of 285,150 square feet. It would not result in any design changes.

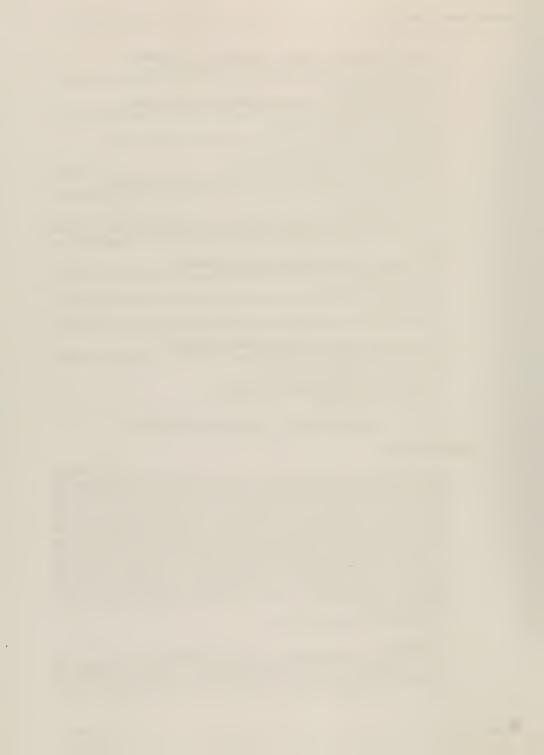
Preliminary Recommendation: Approval

#### SPEAKER(S):

#### (+) Amy Neches - Project Manager - Redevelopment Agency

- This project involves one full office building and one smaller office building for consideration. Mission Bay encompasses 303 acres; it is divided into two redevelopment areas. The two projects consist of 6,000 housing units, over 6 million of office,

Minutes Page 5



research and industrial space; nearly 1 million sf of retail as well as a 500 room hotel. This surrounds a 43-acre UCSF campus, which is under development.

- Over 31, 000 permanent jobs will be created as well as 40 acres of new public parks. The parks will be maintained by special taxes paid by Catellus Corporation.
- The 6,000 housing units will include 1,700 affordable units. Some of them will be developed by Catellus, yet most of them will be developed in parcels which are contributed to the Redevelopment Agency by Catellus for the development of low income housing by non profit development corporations based in San Francisco.
- The first housing development is already underway.
- Planning is underway for the second development, which will be focused for senior citizens.
- This project, like all the other Mission Bay projects, has been extensively reviewed and analyzed.
- The Redevelopment hopes that the Commission will approve this project.

#### (+) Doug Gardner - President of Catellus Urban Development Group

- They have recently received approval of building permits for these buildings. The first hundred units have already begun.
- Mission Bay is a Redevelopment project. The Redevelopment Commission has taken over 25 actions on Mission Bay since last Spring. Although they are here before the Planning Commission because of Prop M authorization, the decision the Commission makes is quite critical.
- The Gap has already signed a lease for office space.

#### (+) Alison Williams - Partner with AR Architects

- The primary idea of the building is that it sits in a mid-block
- The building is a horizontal building
- This building is the only building that has that frontage block. The building has a very simple idea for a design.
- To the north, the building is very glassy responding to its sunlight requirement.
- The central bar is of precast concrete with a neutral color.
- The glass is all double-glazed clear or double-glazed clear with a horizontal pattern to help cut down on the glare.
- One of the key features on the building is a very impressive canopy. This provides a daylight illumination. It also helps to soften the parapet line.
- The image of the building is capable of providing night lighting.

#### (+) Stan Smith - Chairperson of the Mission Bay Citizen's Advisory Committee

- These projects of Mission Bay have gone through many public hearings. There have been many comments some good and some bad.
- The majority of the comments have been positive and he hopes that the Commission will approve the projects.

#### (+) Jim Chappell - President of SPUR

- There is a tremendous imbalance of both office space and housing.
- This is the reason why SPUR has always supported the Mission Bay projects and is hopeful that the Commission will approve the project and speed the project underway.

## (+) Kevin Beauchamp - Representative of USCF and Mission Bay Citizen's Advisory Committee

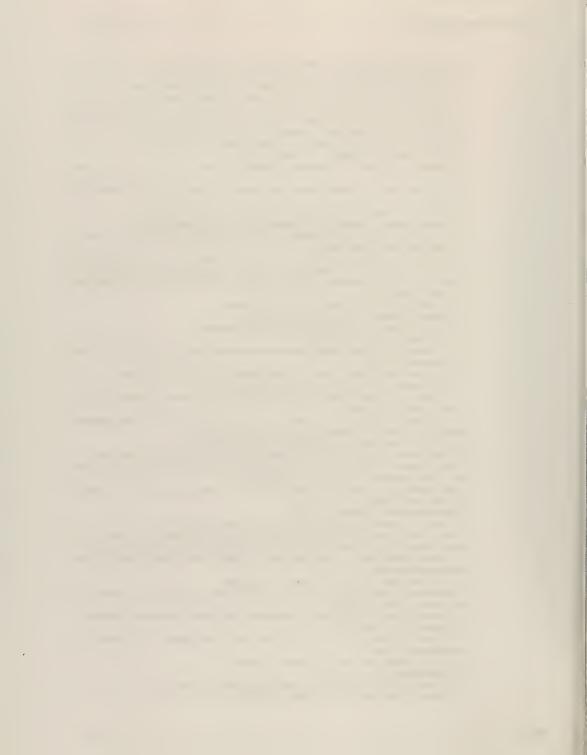
- UCSF would like to express its support for the project.
- The development of UCSF's new campus and the successful realization of Mission Bay is of great importance to UCSF.

#### (+) Corinne Woods - Vice Chair of the Mission Bay Citizen's Advisory Committee

- She also lives in Mission Bay.
- They are very much in favor of the project and have looked at the design of the buildings many times.
- They would really like to have the project approved.

#### (-) Roger Brandon

- The project will be located in a zone that is designated light industrial.
- This area is well suited for industrial and not office.



- This area carries much industrial traffic.

- The City does not need to have a biological campus here.

- This is a poor combination of uses.

- This area should be planned for industrial uses only.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16110

13b. 2000. 1294B

(ARCE: 558-6332)

MISSION BAY SOUTH BLOCK 26 (WEST) - Request under Planning Code Section 321 (Office Development Annual Limit) for a determination of design quality and Project Authorization of the proposed office development for an 11-story building, including 262,534 square-feet of office space; 9,991 square-feet of retail space; 13,025 square-feet of service, mechanical equipment and common areas; for a total of 285,550 gross square-feet.

Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: The sponsor has informed the Department that this project is not

yet ready and they have removed it from consideration at this time.

13c. 2000, 1295B

(ARCE: 558-6332)

MISSION BAY SOUTH BLOCK 26 (EAST) - Request under Planning Code Section 321 (Office Development Annual Limit) for a determination of design consistency and Project Authorization of the proposed office development for a six-story building, including 145,728 square-feet of office space; 3,044 square-feet of retail space; 9,556 square-feet of service, mechanical equipment and common areas; for a total of 158,328 gross square feet.

Preliminary Recommendation: Approval

SPEAKER(S): Same as the speakers listed for Item 13a.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16111

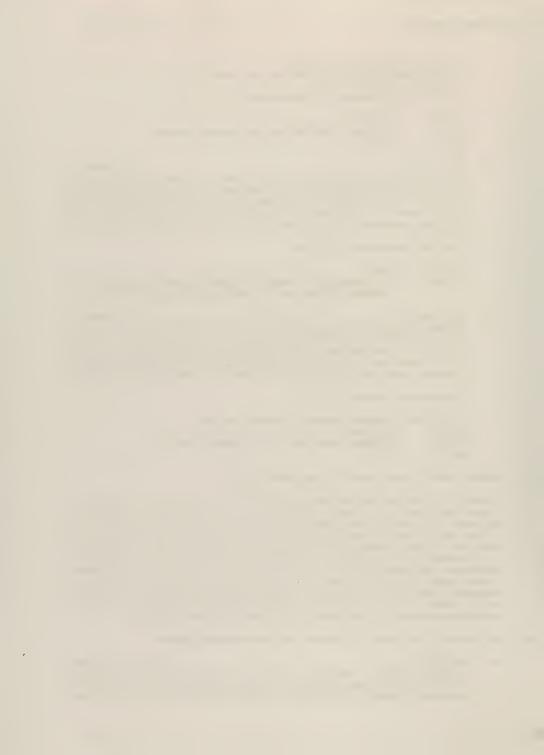
#### D. SPECIAL OFFICE DEVELOPMENT ANNUAL LIMIT HEARING

Following the regular calendar, the Planning Commission will convene into a Special Office Development Annual Limit Hearing to hear and act on the four large office projects being considered under Planning Code Sections 320-325 during the 2000-2001 approval period. (Individual item language will make clear the action being proposed.) Procedures governing this hearing are as follows: Department staff will introduce the annual limit process and the projects under consideration. Project sponsors and their representatives will then be provided with approximately (10) minutes (or a time limit as established by the Commission) for a presentation of their projects. All items will be called at the same time, and Public Comment will follow the presentation of all projects. The Commission may take action at this hearing or continue these items, in whole or in part, to a later date. Sponsors may withdraw their projects or request a continuance to a subsequent review period, prior to Commission action on the project.

Note: Items 14a and b; 15a, b and c; 16a, b and c; 17a and b were called together.

14a. 98.281<u>BC</u> (GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing; Lot 5 in Assessor's Block 3803. Request under Planning Code Section 321 for authorization to deduct up to 120.000 square feet of office space from the City's office



development annual limit. The property is within a M-2 (Heavy Industrial) District, the Mixed-Use Area of the IPZ Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District and a 90-X Height and Bulk District. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square footage of office space per Planning Code Sections 313.4 and 314.4. Please note: Under Case No. 98.281V, an off-street parking variance for the proposed project was heard before the Zoning Administrator on August 23, 2000. This variance decision is currently pending before the Zoning Administrator. In addition, a rear yard variance, per Planning Code Section 134, for the proposed dwelling units at this site will be heard before the Zoning Administrator on March 28, 2001 under Case No. 2001.0179V.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of March 1, 2001)

#### SPEAKER(S):

#### (+) Tom McCarthy - Co- President of McCarthy/Cook and Company

- China Basin is a 689,000 square foot (sf), two building office project located next to Pac Bell Park.
- The project consists of a 480,000 sf wharf side building and a 209,000 sf Berry Street side building.
- The wharf side building was built in 1922 as a lumber warehouse and was converted to office space beginning in the 1970s. It features an 800 foot long, 33,000 sf award-winning wharf in Mission Creek. The Berry Street building was built in 1992
- There are many very important companies located in this area.
- In 1998, they filed the initial application for office space under Prop M.
- In the next two years, they met with various companies, organizations, and groups regarding the project.
- During these years, they have received various comments, suggestions and ideas.
- This facility more than meets the needs of the expansion and provides the tenants with a convenient parking alternative. Yet, there are various choices for public transportation. The Third Street Light Rail project is underway and there is a shuttle service available at China Basin.
- The project includes 62 residential units including 6 affordable units.
- The proposed expansion of China Basin Landing is the correct project.
- China Basin sits at the gateway of Mission Bay.
- They have secured all construction financing.

#### (+) Rodney Friedman - Fisher Friedman Associates

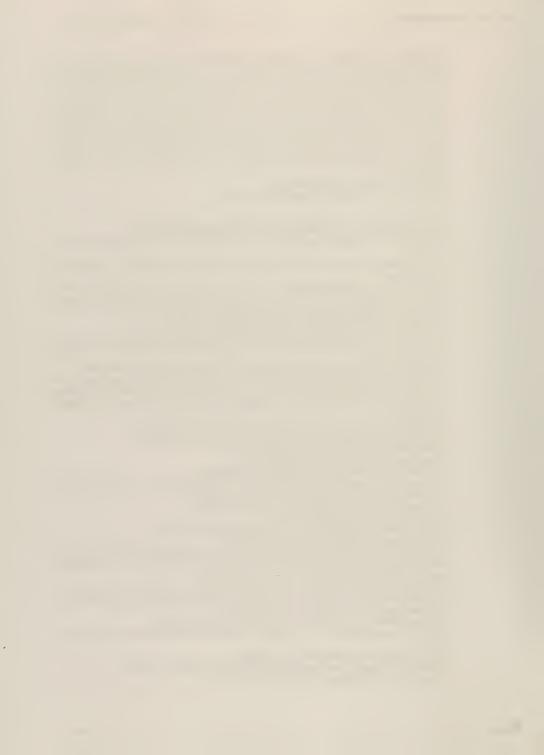
- He has been in practice since 1956. The first mixed use project in North America was the Golden Gateway project and his company worked on it.
- He has received many awards for his project at the wharf.
- China Basin is almost 3 blocks long.
- He made several references to a model displayed at the hearing.

#### (+) Dan Howard - Fisher Friedman Associates

- Working with City staff and neighbors such as Mission Housing, they moved to a mixeduse project by introducing 62 residential units including 6 affordable. This housing is over and above the in lieu-housing fee for the housing portion.
- It was a challenge to be able to come up with this design.
- The streetscape and the landscape will be softer and more pedestrian friendly because of under grounding of the Berry Street utility lines.
- This is the basis for the best urban design and the best City living.
- This is the right project at the right time. This project provides housing now at the right site.

#### (+) Terry Fancher - Payne Weber Real Estate

- Their firm has had hundreds of employees in San Francisco for decades.
- They made an investment in China Basin recently.



- They are very pleased and very proud to be able to bring housing along with office at a wonderful location.
- They are substantial owners of various properties in the Bay Area. They hope to bring companies from Silicon Valley to the San Francisco area.

# (+) Sue Hestor

- She was the attorney working with the community organization of the ballpark. One of the things she noticed with the community surrounding the ballpark was that they had various issues: access to the waterfront and adding housing.
- She worked with housing developers and there were a lot of issues with housing along the bay. Have these issues been resolved? Yes.
- The one thing she does not agreement with in the staff report is the zoning of this area.
- When the commission has problems with solving problems with parking in this area it is because of the rezoning. The parking requirements are out of date.
- She would like the Commission to step back and look at the parking requirements and the rezoning of the area.
- 185 Berry is a much better project.

# (+) Kim Jackson - Hotel and Restaurant Employees Union Local 2

- She urges the Commission to place their award to 185 Berry Street instead of 801 Market Street.
- Housing is a priority of this commission. We need housing now.
- This project will meet the priority of this Commission and this City.
- This is the kind of development we need in this City.

# (+) Pete Goldsmith - President of GCI

- He has been a tenant of China Basin for 10 years.
- He believes that China Basin has been at the front of renovating this area.
- He hopes that the Commission will approve the expansion of this project.

#### (+) Richard Mulkerrins - Able Maintenance Company

- His company has been established in San Francisco since 1926.
- He supports the expansion of China Basin. The additional space will create more jobs as well as more housing.

#### (+) David Snyder - President of the San Francisco Bicycle Coalition

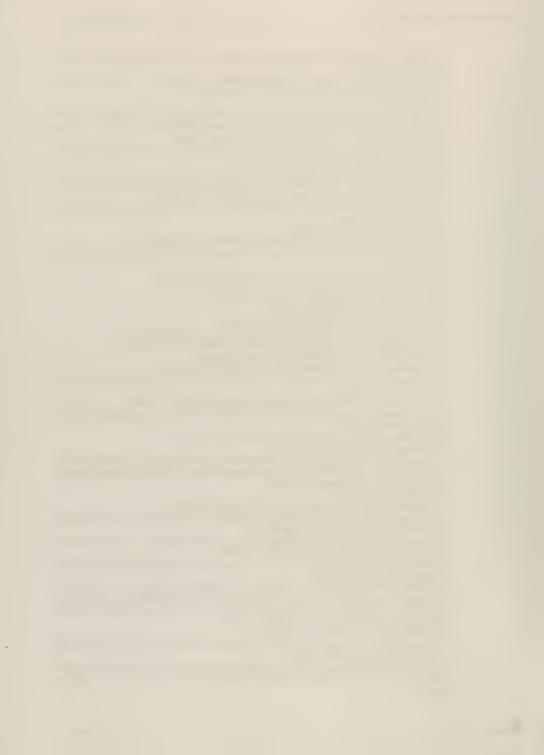
- He has been working with this project for a long time. The project is a good one and is good for transportation.
- He agrees with Ms. Hestor that the area needs to be rezoned.
- The voters spoke on behalf of housing.
- It is worthwhile for the Commission to approve this project because it includes housing.

# (+) Jim Hornback - Director of Business Development of AMPCO System Parking

- There is plenty of parking at this project.
- Parking is not a problem.
- He agrees with Ms. Hestor that this area needs to be rezoned.

# (+) Jeffrey Leibovitz – Representing Mr. Rick Dickerson, President of South Beach Rincon Point Citizen's Advisory Committee

- He would like the Director of the department to work with Supervisor Daly so they can call for a hearing in front of the Land Use Committee.
- They have a resolution drafted to remove the gates. This would be the one and only opportunity to remove the gates.
- The BCDC permit allows them to have gates there restricting access. With this project this would become open space for Mission Bay, South Beach and for all San Franciscans. It comes into compliance with the open space requirements of BCDC. Their permit is outdated since it was done in 1976.
- The developer is willing to work with them.
- This project goes a long way in creating affordable inclusionary units in the Mission Bay Area, which are desperately needed.
- This project is located near the China Basin Landing ferry terminal, it is located a block away from the Cal Train station and a block away from MUNI; the transportation aspect is excellent.



- He urges the Commission to approve this project.

# (+) Greg Cosko - President of Hathaway/Dinwiddie Construction Co.

- His company has a contract to construct this project.

- The financing is in place.

- His company has been in San Francisco for 75 years and he lives in San Francisco.
- Everyone is ready to begin construction pending the approval of the Commission.
- His company is 100% union and has been since unions were organized in San Francisco.
- This project has certainty of budget and certainty of financing.
- He hopes that the Commission approves this project.

# (+) Bill Barns - Office of Supervisor Daly

- All of these projects are in District 6.

- Read a letter from Supervisor Chris Daly in support of the project.

# (+) Jacque Keller - Principal of Keller/Mitchell Landscape Architects

- She is a member of the design team but she is also a member of BCDC.
- They have been reviewing the Catellus project and open space.

This project will add to the pedestrian liveliness of the area.

ACTION No. 1: A motion of intent to approve 185 Berry Street with a reduction of 24,000 square feet, and 555 Mission Street for 499,000 square feet.

AYES: Chinchilla, Joe, Salinas NAYES: Baltimore, Fay, Theoharis

ACTION No. 2: At the call of the Chair, 185 Berry Street was continued to March 22, 2001 with public hearing closed.

14b. 98.281BC

(GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing; Lot 5 in Assessor's Block 3803. Request per Planning Code Section 215 for Conditional-Use Authorization to allow 62 units of housing (totaling approximately 73,600 square feet of residential space) in a M-2 (Heavy Industrial) District at the above-referenced address. Approximately six units (or 10%) of this housing is proposed to be dedicated as affordable. The property is within a M-2 (Heavy Industrial) District, the Mixed-Use Area of the IPZ Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District and a 90-X Height and Bulk District. Please note: Under Case No. 98.281V, an off-street parking variance for the proposed project was heard before the Zoning Administrator on August 23, 2000. This variance decision is currently pending before the Zoning Administrator. In addition, a rear yard variance, per Planning Code Section 134, for the proposed dwelling units at this site will be heard before the Zoning Administrator on March 28, 2001 under Case No. 2001.0179V.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): Same as speakers for item 14a.
ACTION: Same as action for item 14a.

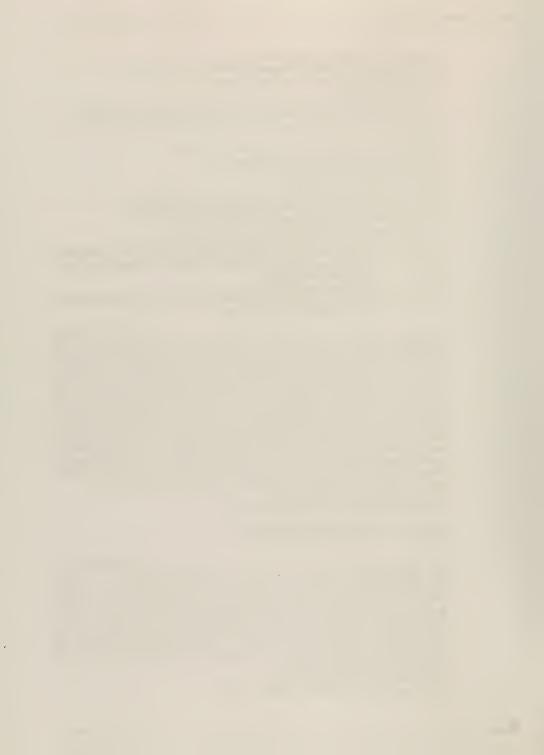
15a. 99.554BCD

(PURVIS: 558-6354)

601 KING STREET - south side between 7<sup>th</sup> and DeHaro Streets; Lots 1 & 2 in Assessor's Block 3800. Request under Planning Code Section 321 for authorization to demolish two warehouse structures and construct an office building with up to 237,500 gsf (gross square feet), designed as a PUD (Planned Unit Development), pursuant to Section 304 for exceptions from off-street parking standards under Section 151. This notice is also the initial determination of the net addition of gross square footage of office space, pursuant to Sections 313.4 and 314.4. The subject property is within an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District, and is within the interim IPZ (Industrial Protection Zone).

Preliminary Recommendation: Pending

(Continued from Regular Meeting of March 1, 2001)



#### SPEAKER(S):

## (+) Charmaine Curtis - A.F. Evans Development

- She is sorry that the Commission decided not to hear the staff report.
- Their 321 application was complete.
- Given a number of factors, she would like to request that their 321 application be put off with the possibility for future consideration.
- They are in the process of considering alternatives to the proposal including the possibility of including housing. This would be an appropriate alternative.
- It is their desire to be as flexible as possible.
- They will be participating in the development of the Show Place Square.

# ACTION: Case was not heard because staff informed the Commission that the application was not complete.

15b. 99.554BCD (PURVIS: 558-6354) 601 KING STREET - south side between 7<sup>th</sup> and DeHaro Streets; Lots 1 & 2 in Assessor's Block 3800. Request for Conditional-Use Authorization under Planning Code Section 304 to construct an office building with up to 237,500 gsf (gross square feet), designed as a PUD (Planned Unit Development), with exceptions from off-street parking standards under Section 151. The subject property is within an M-2 (Heavy Industrial) Zoning District, a 50-X Height and Bulk District, and is within the interim IPZ (Industrial)

Preliminary Recommendation: Pending

Protection Zone).

(Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): Same as those listed for item 15a.

ACTION: Case was not heard because staff informed the Commission that

the application was not complete.

15c. 99.554BCD (PURVIS: 558-6354)
601 KING STREET - south side between 7<sup>th</sup> and DeHaro Streets; Lots 1 & 2 in
Assessor's Block 3800. Request for Staff Initiated Discretionary Review pursuant to
Resolution No. 16079 to demolish two industrial warehouse structures and construct an
office building with up to 237,500 gsf (gross square feet), designed as a PUD (Planned
Unit Development), with exceptions from off-street parking standards under Section 151.
The subject property is within an M-2 (Heavy Industrial) Zoning District, a 50-X Height
and Bulk District, and is within the interim IPZ (Industrial Protection Zone).
Preliminary Recommendation: Pending

(Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): Same as those listed for item 15a.

ACTION: Case was not heard because staff informed the Commission that

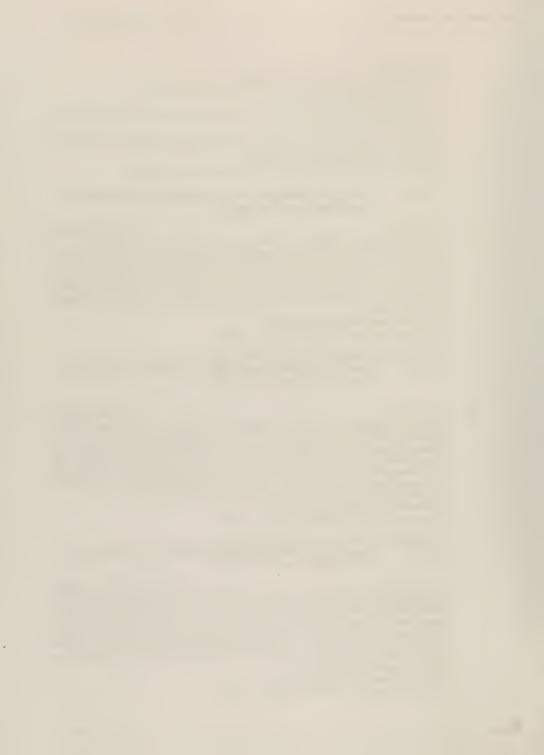
the application was not complete.

16a. 2000.277BXC (CRAWFORD: 558-6358)

801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Planning Code Sections 320-325 (Office Development Limitation Program) for allocation of up to 136,600 gross square feet of office space for a 12-story building within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie street between Fourth and Fifth Streets.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)



#### SPEAKER (S):

## (+) Tim Tosta – Attorney for Pacific Resources PCX

- The Pan family, owners and developers of the property, has owned this property since 1996.
- 555 Mission Street has received staff approval yet it's been asked to take some type of modification to taper its tower. At the full size it's about 100,000 square feet (sf) of additional bulk, at the reduced 499,000 sf, it's about 63,000 sf of additional bulk. There is room for one of the other buildings to be approved if there is a tapering to bring them into alignment.
- These buildings ultimately will be approved because they (project team) have generally learned to conform over time with the goals and standards of the Planning Code and General Plan.
- There is a correction on the report since it states that the building has a rating of good/excellent on use, yet it should be excellent.
- In the projects that are competing with one another, is there an advantage of one over the other with respect to its marketability? Is it a proven product in its current location or is it a speculative venture in a new location?
- Is the developer and is the project in a position to be financed immediately?
- Is the developer establishing a track record or can it provide the bonifides that it can produce the building on time?
- This project, with the Pan family, has established a track record of exemplary development in San Francisco.
- This building is the only building of the three with no suggested modifications because the Pan family knows its property so well that they are proposing a project to the Commission, which is on target, the financing is in place, etc.
- The cash flow generated from Pacific One and Pacific Two can fund Pacific Three even if its not occupied.
- Pacific Three deserved higher ratings.
- The Pan family has been in the South of Market for the past 6 years. When they developed the project; they did so considering their specific neighborhood. This particular project acquires its TDR's from Saint Patrick's Church, which will allow the seismic retrofit of the church.
- There is a contribution to childcare, which will go to the SOMA Child Care facility, which was recently displaced from its location.
- This project will also assist City College to relocate its Educated Palace restaurant from the basement to street level.
- The neighborhood sees this as a welcome addition. The building contributes to the vitality of the new Jesse Street location.
- The principal tenant of Pacific Place will be Macy's.

# (+) Jeff Lance - Manager of Pacific Resource PCX

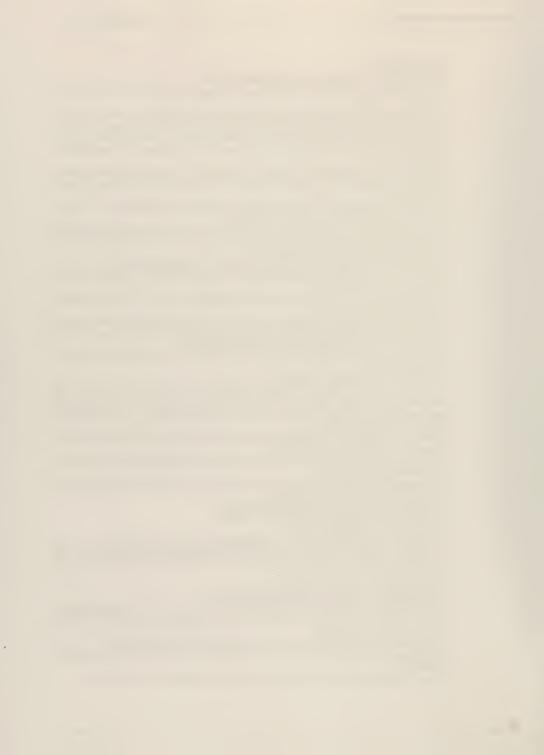
- The project is in a difficult location.
- Creating more door entries/doorways would create a more open space look.
- \$1 million of additional moneys for escrow fees. Their housing fees are higher than 185 Berry Street. The 1.5 million will go to the housing fund, to the traditional non-profit development for low-income housing.
- There will be no pre-leasing requirements.

#### (+) Judith Baker - South of Market Child Care, Inc.

- The developer has agreed to fees of relocating the childcare to 8<sup>th</sup> and Howard Streets.
- Read a letter from a parent in support of the development since they will receive assistance for their relocation.

#### (-) Sue Hestor - San Franciscans for a Reasonable Growth and Local 2

- The issues with this project are that the people who surround the project are against the development.
- Cole/Fox hardware will go out of business if this office development is approved.



- The neighbors of this site will be driven out of business or make it difficult for them to operate.
- This development will hurt the neighborhood.

# (+) Tom McCann - Local 38 - Plumbers Union

- He supports the project because it's 100% union. It will create many union jobs.
- He urges the Commission to support this project.

#### (+) Bayardo Chamorro - Owner - Pribuss Engineers, Inc. (minority business)

- This project will provide jobs for the union labor force.
- He urges the commission to support this project to keep union construction labor active in the City.

# (+) Anita Hill – Executive Director of the Yerba Buena Alliance representing the Yerba Buena Gardens neighborhood.

- She is here to support this project and to endorse it.
- From the point of view of urban infill, everything is right about this project.
- One of the delights of the south of Market is the big blocks and the smaller alleys. These will be improved with this project.
- The Union Square Association, the Market Street Association, Monsignor Batanga and Monsignor Virgil of St. Patrick's Church support and endorse this project.

# (+) Peter Roger - Superintendent of Plant Construction

- He supports Pacific Resources and this proposal.
- He is a third generation San Franciscan.
- They are absolutely committed that their project is the better one.
- His association with Pacific Resources has been nothing but positive.
- It is an attractive design and will continue to revitalize the fourth street corridor.

# (+) Steven Glick - Dean of the Downtown Campus for City College of San Francisco

- He has worked in this area for over 7 years.
- This project will allow Pacific Resources to finish the construction of building 3 and improve the area considerably.
- This project will also help City College improve their downtown campus and bring the restaurant that is currently located in the basement up to the first floor and provide their students with a "real world" environment. On the space vacated by the restaurant they will build a center for advanced technology, which would train students in the jobs of the future.
- They will also be opening the center on Sundays.
- For these reasons, he urges the Commission to approve the project.

# (+) Jan Casey - Art Advisor for Pacific Resources

- She has worked on several large projects in the City.
- They have gone to the community and have chosen various types of art to be displayed at this site.
- Pacific Resources has done a lot to enforce art in the community.

### (+) Philip Garcia - Division Manager of City Park - Teamsters Local 665

- He recommends that the project be approved.
- As a parking operator he has seen the improvements of the 4<sup>th</sup> and Market streets.
- Having reviewed the plans of this proposal he is quite impressed with the project.
- The seismic retrofitting of St. Patrick's church is great.

#### (+) Jerry Lowrey - Chief Engineer of Pacific Place PCX

- He has been a local 39 Stationary Engineer member since 1986. He was born and raised in San Francisco.
- This project will be a very needed addition to the area to complete the renovation between Union Square and Yerba Buena.
- This would be the last piece to complete this project.
- Pacific Resources were kind enough to send him to energy classes. They have asked for his opinion on energy efficient products and systems.

# (+) James Hom - Local 22 - Carpenters Union

- He has been a member of the union for 21 years.



- He urges the Commission to approve this project.
- Not only is Pacific Resources union friendly but they are also a very good developer to work with since they are very friendly and work with the union.

# (+) Dave Holguin - Local 22 - Carpenters Union

- He has been a member of this union for 23 years.
- Pacific Resources has been a very good company to work with and would like to speak on their behalf.

#### (+) Victor Esposto - Cupertino Electric

- He has been a member of Local Union 6 for the past 15 years.
- He has had the privilege to work for Pacific 1 and 2.
- Pacific Resources has been very good to their employees.

#### (+) Fred Bianucci - Cupertino Electric

- He has worked in San Francisco for more than 30 years.
- He has worked specifically with Pacific Resources in several of their projects.
- Many of the projects have brought tourist dollars to San Francisco.

#### (-) Mike Casey - President of Hotel and Restaurant Workers, Local 2

- He would advise the community organizations to get the money up front.
- Four years ago, their union was in front of the Commission because of the Palomar Hotel. As a result of that the conditional use language which was ultimately adopted including language that said: "project sponsor agrees that the hotel operations will be subject to any city card check neutrality legislation which becomes effective on or before March 17, 1998. This legislation was passed in January of 1998.
- When he went to the operator, Mr. Latour and asked him about signing a card check neutrality agreement, he said he didn't have to do that and that the person to go to was the developer. He went to the developer and they denied that there was any such agreement.
- The language is very clear. They knew that there would be no proprietary interest.
- This company has violated their word to the City and to the Hotel and Restaurant Workers.
- He would suggest that the other projects be union as well.
- Because this company has acted dishonorably and should not be rewarded.

# (+) Carmen Johnson - Executive Director of the Agape Outreach Center

- This center is a community based, non-profit organization, which was organized specifically for preserving low and moderate-income housing.
- In discussion with the Redevelopment Agency and a private owner to sell a site on 3<sup>rd</sup> Street, Agape is in negotiations to develop low income housing for ownership.
- The infusion of an additional \$1 million from 801 Market and Pacific Resource will significantly reduce the per unit costs and enhance the affordability of these units.
- Please support and approve this project.

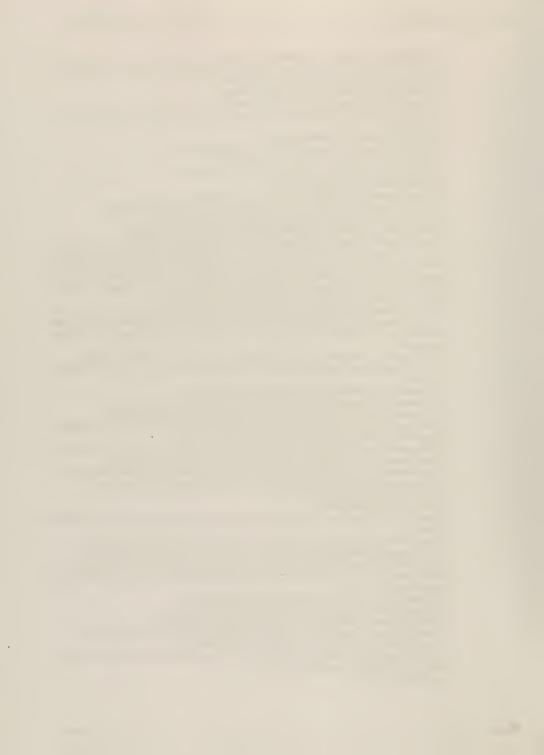
#### (+) Rev. Arnold Townsend

- One of the things heard in San Francisco is market rate housing and affordable housing.
- Many people have just given up and low-income housing is not heard of anymore.
- Many people are leaving San Francisco and going to other parts of the bay area.
- 801 Market has agreed to give \$1 million to the housing fund and would help out the Agape center. This would significantly change what people have to pay to get into this type of housing.
- It's time for this Commission to approve high-rise housing.
- This project should be approved quickly and with all speed.

#### (+) Craig Allison - Co-Owner of Plant Construction Company

- They have been in business for 54 years and are a local San Francisco business.
- He would like to talk about trustworthiness of the developer.
- His company stared working on the Pacific buildings with just a handshake. He has never had any problems with this developer.

# (-) Jeffrey Leivobitz



- Regarding public open space, 101 Second is a magnificent building in this City. It has a grand open space. Yet it's just a lobby. It is not an open space. The proposed construction will have a grand open space.
- It is an important issue to stop counting lobbies and start counting open spaces.
- He has worked for several contractors in the City.

# (-) Bill Barns

- The Supervisor in District 6 has been working on this open space issue.
- 185 Berry has a lot of open space yet this proposal is for indoor open space.
- The Park and Rec's priority is to improve parks in the City.
- This project is not going to provide open space.

ACTION No. 1: A motion of intent to approve 801 Market Street with a reduction of square footage, and 555 Mission for 499,000 square feet.

AYES: Baltimore, Fav. Theoharis NAYES: Chinchilla, Joe, Salinas

ACTION No. 2: At the call of the Chair, the 801 Market Street was continued to March 22, 2001 with public hearing closed.

16b. 2000.277BXC

(CRAWFORD: 558-6358) 801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance, for construction of a 12-story building including 136,600 gross square feet of office space. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie street between Fourth and Fifth Streets. Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): Same as speakers for Item 16a.

ACTION: See action for item 16a.

16c. 2000.277BXC (CRAWFORD: 558-6358)

801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Request under Planning Code Section 219.c for professional or business offices not offering on-site service to the public in a C-3-R (Downtown, Retail) District. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie street between Fourth and Fifth Streets.

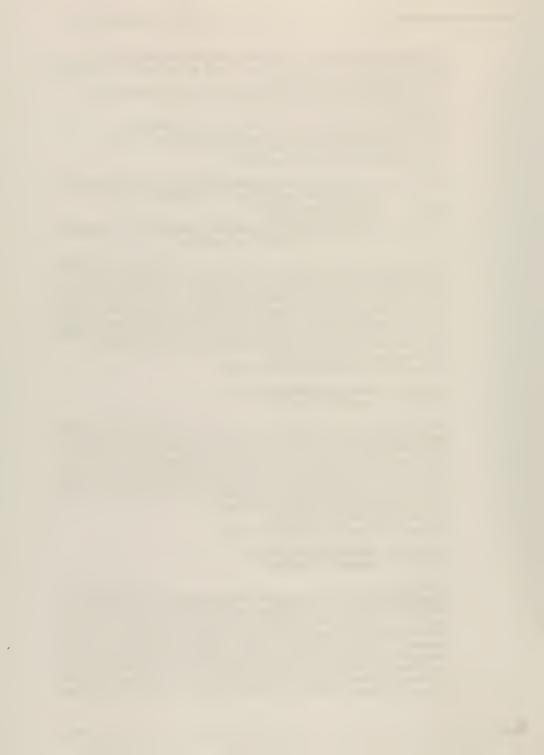
Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): See speakers after Item 16b. ACTION: See action for item 16a.

17a. 1999.603BX (LeBLANC: 558-6351)

555 MISSION STREET - south side of Mission Street between First and Second Streets, with a secondary frontage on Minna Street, Lots 69, 70, 78, 79, 80 and 81 in Assessor's Block 3721. Request under Planning Code Section 309 (Downtown Project) for Determinations of Compliance and Request for Exceptions, including an exception to the Separation of Towers requirement (Section 132.1(c)), exceptions to the Bulk requirements (Sections 270(d)(2), 270(d)(3)(A), and 270(d)(3)(B)), and an exception to the Reduction of Ground Level Wind Currents requirement (Section 148) for the demolition of six vacant buildings and the construction of a 31-story, approximately 455foot tall office tower containing up to 557,000 gross square feet of office space,



approximately 8,000 square feet of ground floor retail space, 11,140 square feet of public open space and 150 parking spaces. The project lies within a C-3-O (Downtown, Office) District and within 500-S and 550-S Height and Bulk Districts.

Preliminary Recommendation: Approval

(Continued from March 1, 2001 Regular Meeting)

#### SPEAKER(S):

# (+) Ezra Mercei - Managing Director of Tishman Speyer Properties

- The best way to describe this project is in the context of the San Francisco Downtown Plan, the framework for quality and balanced growth in San Francisco.
- 555 Mission Street fulfills the vision of the downtown plan perfectly.

#### (+) Jeffrey Heller - Heller and Manus

- The project is located in the most transit-served area of the City and the best location for a high-density commercial development.
- All the vehicles and the buses coming from the East Bay come to this site. The skyline and its heightened scale are very important for the City image.
- This is a key landmark element of the city in terms of the approach.
- The building is part of a network of open space in the City.
- The checker boarding of space provides light and air. There will always be light and air in all areas of the building.
- He served on the task force in designing the downtown plan.
- The square footage can be achieved without any exceptions.
- This Commission has approved two buildings nearby which are substantially bigger.
- All of the exceptions are to make it a better building.
- They have placed the building for the best possible public effect.
- The open space is more than a quarter of an acre.
- This project rated 8 out of 12 in excellent and he is very proud of that.
- This is the right project in the right location and the one that makes the most sense.
- The housing they referenced in their January 16, supplemental application is a project that they plan on developing concurrent with 555 Mission Street. The project at 201 Folsom is a planned 800 unit high rise.
- There is no pre-leasing requirement. They are comfortable without extensions to the timeframe. Tishman Properties funds its entire projects.

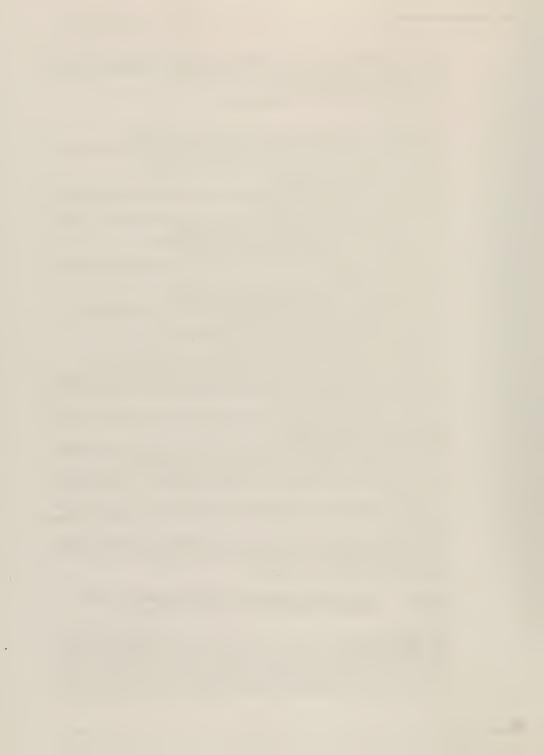
#### (+) Jim Chappell - President, SPUR

- SPUR is a 501(c)(3) non-profit educational foundation. Like so many other non-profits in the City, their lease is expiring in 21 months and faces an uncertain future.
- The SPUR Board of Directors along with Tishman Speyer have executed a letter of intent for space at the 555 Mission Street building conditioned on the approval of the Commission.
- The terms of the lease is considerably lower than market rate rents for 40 years. Assuring their ability to fulfill their public educational mission of good planning and good government.
- 555 Mission Street will have ground space for public viewing of plans, designs, models, etc. Various organizations and community groups will be able to benefit from various programs SPUR provides as well as be able to use meeting space.
- SPUR supports 555 Mission Street project.

ACTION: Intent to approve 499,000 sf. Final Action will be April 5, 2001. AYES: Baltimore, Chinchilla, Joe, Fay, Salinas, Theoharis

17b. 1999.603<u>B</u>X (LeBLANC: 558-6351) 555 <u>MISSION STREET</u> - south side of Mission Street between First and Second Streets, with a secondary frontage on Minna Street, Lots 69, 70, 78, 79, 80 and 81 in Assessor's Block 3721. Request under Planning Code Sections 320-325 for authorization to deduct up to 557,000 square feet of office space from the City's office development annual limit. The proposal is for the demolition of six vacant buildings and the construction of a 31-

Minutes Page 16



story, approximately 455-foot tall office tower containing up to 557,000 gross square feet of office space as well as ground floor retail space, public open space and parking and loading spaces. The project lies within a C-3-O (Downtown, Office) District and within 500-S and 550-S Height and Bulk Districts.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): See speakers for item 17a. ACTION: See action for item 17a.

#### E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **9:15 p.m.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

18. 2000.1095DDD

(TAM: 558-6325)

<u>2424 CASTRO STREET</u> - west side of Castro Street, between Day and 30th Streets; Lot 14 in Assessor's Block 7537. Request for a Discretionary Review action to construct a second story addition over an existing one-story over garage, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the proposal pursuant to Planning Department's recommendation.

SPEAKER(S): None

ACTION: All Three DR Applications Withdrawn

(Continued from Regular Meeting of January 25, 2001)

19. 2001.0071D

(MEHRA: 558-6257)

<u>2121 DIVISADERO STREET</u> - west side between Sacramento and Člay Streets, Lot 005 in Assessor's Block 1004. Request for Discretionary Review of Building Permit Application No. 2000/11/20/6273, originally proposing to construct a 22-foot horizontal addition at the rear on all four levels of the four-story, single-family house. The proposal has since been revised to construct a 19-foot horizontal addition at the rear, with the fourth level to be set back six feet from the north side property line. The south exterior wall between the stairs and garage is proposed to be expanded by four feet and the garage door will be widened to 12 feet in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary recommendation: Do not take discretionary review and approve the application as revised.

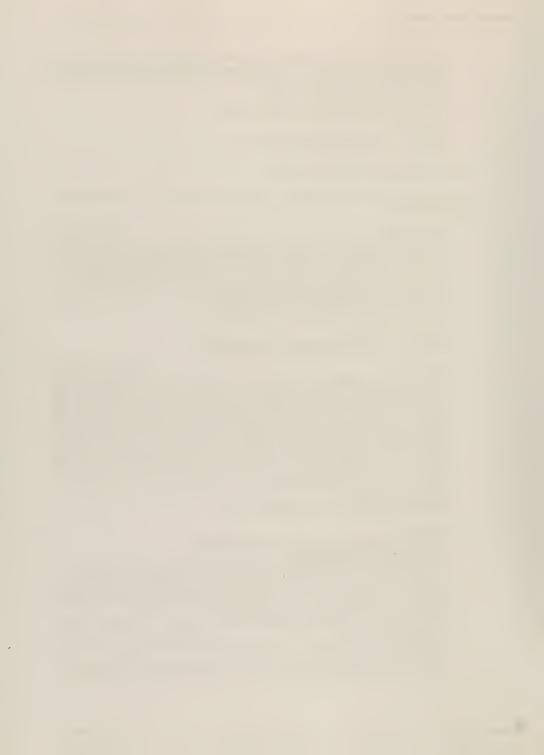
(Continued from Regular Meeting of March 1, 2001)

#### SPEAKER(S):

Note: DR requestor was not able to attend the hearing.

#### (+) David Tiers - Project Sponsor

- The presentation and the report don't give a history of how this project came about.
- He had previous discussions with the neighbors and was sure he had a "green light" on the project. He also felt he had a "green light" from the planners at the Planning Department counter and many of the planners involved in the project. So he felt confident not to take advantage of a project review.
- The neighbor to the north side filed a DR. All of the negotiation attempts failed. So they sent a response to the DR.
- At the "11<sup>th</sup> hour" he received an apologetic call that there would have to be some reductions made to the plans.
- They were in such a hurry to meet the calendar, that they made some hasty reductions.



- He would like to give the DR requestor, a 3-foot setback on the top floor and a 6-foot setback on the side that is 90% of what he wanted but would like to have back the 3 feet he gave on the main mass.

ACTION: Take DR and approve plans as modified AYES: Baltimore, Chinchilla, Joe, Theoharis

ABSENT: Fay, Salinas

#### 20. 2000.1243D

(CABREROS: 558-6169)

1955-1959 TURK STREET - between Broderick and Baker Streets, Lot 030 in Assessor's Block 1152. Request for Discretionary Review of Building Permit Application No.2000/09/22/1305, proposing to construct a second-floor deck, spiral stairway and firewall at the rear, southwest corner of the existing building. The proposed addition occurs within the permitted building envelope in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

#### SPEAKER(S):

## (-) John Flynn - DR Requestor

- He doesn't agree with staff recommendations.

- He is concerned with the early and mid-morning blocking of sunlight and air with the proposed firewall.
- The analysis states that there will be no sun blockage. It reported afternoon sunlight.
- He displayed photographs of how the proposed addition would block sunlight to the interior of his home.
- He made some proposals. Instead of having the project on the west side, relocate the door, which is coming out of their sunroom. This would not block the sunlight. They have offered the sponsor \$1,000 to have this done. Another suggestion was to create safety glass for the firewall in order to get sunlight coming through.

#### (-) Tomoko Flynn

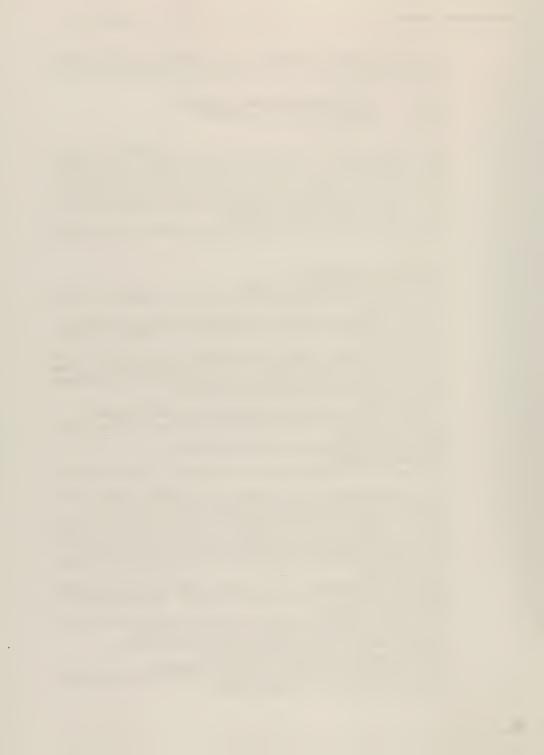
- The person to analyze the situation did not come to their home for an inspection.
- Their kitchen eating area is the most important part of their house. They really enjoy the light that comes through.
- She would like the Commission to reconsider this situation.

#### (+) Ronda Lyle - Architect

- She respects the DR requestor's concerns about the light. They have tried to address it.
- She is concerned that her client be able to fully enjoy his property. Currently he has no access to the rear yard since there is no direct access. She is trying to address this.
- When she started looking at various solutions to this problem, she looked at various locations. As Glenn mentioned the east side is not appropriate because of an existing subterranean stair, which would be very difficult to relocate. The south side, which Mr. Flynn suggested, poses a lot of problems as well. The sunroom becomes unusable since the space becomes transitionary. It reduces the functionality of the deck area and patio area at grade level.
- They have tried various changes: make the deck smaller; use a spiral stair versus a traditional stair in order to reduce the scale of the project. They were thinking of the neighbors when designing this.
- They proposed to relocate the firewall on their property as opposed to putting it on the property line. This would give an additional 6 to 8 inches of more light.
- They would propose that the Commission approve the plans as proposed.

# (+) Carie Johnson - Co-owner and Project Sponsor

- He owns the property with his brother. He lives in the upstairs unit.
- John's proposal that the deck be built on the south side--they never really considered this because his brother felt it would diminish his light.



- He suggested that the firewall be painted white to reflect more light.

ACTION: Do not take DR and approve project as submitted

AYES: Baltimore, Chinchilla, Joe, Theoharis

ABSENT: Fay, Salinas

## 21. 2001.0008D

(SMITH: 558-6322)

<u>614 CASTRO STREET</u> - west side of the street between 19th and 20th Streets, Lot 003 in Assessor's Block 2696, request for Discretionary Review of BPA No. 2000/07/26/6145 proposing to merge units three and two in order to reduce the number of dwelling units in the building from three to two, in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the project.

### SPEAKER (S):

# (+) Gayle Ng

- She and her husband have owned and lived at this address since 1987.
- This project is very important for her and her family.
- In October 1999 they began a 3-phase project to make a home for her mother with them. In July of last year they submitted their third phase. They had completed neighbor notification without any issues when they were told that new procedures had been implemented.
- Coming here to talk about personal issues is very embarrassing for her and her family.
- She owes her mother the best care and support since her mother provided for her.
- Her request is that the Commission allows for an interior staircase in order to be closer and provide for her mother's needs and not have to go outside and then inside her mother's apartment.
- She would like to have the Commission approve their request.

# (+) Michael Vani

- When the building was created there was no direct access to the downstairs apartment.
- An internal stairwell would allow for them to access the back yard as well.
- If these units were united some how it would allow for Gayle to hear her mother if she were ever in need for help.

#### (+) William Pashalinski

- Their intent is not to merge units. Their desire is just to have access to the other unit and care for Gayle's mother's needs.
- In order to keep the 3-unit building and still construct the staircase, they would have to keep the kitchen.

#### (+) Joe Chavez

- He has lived in the neighborhood for 40 years and agrees with everything that everyone has said.
- He would like the Commission to approve this project.

#### (+) (First name unclear) Swartz

- He is a neighbor and likes Gayle and her family.
- He would also like the Commission to approve this project.

ACTION: Take Discretionary review and modify project to include staircase

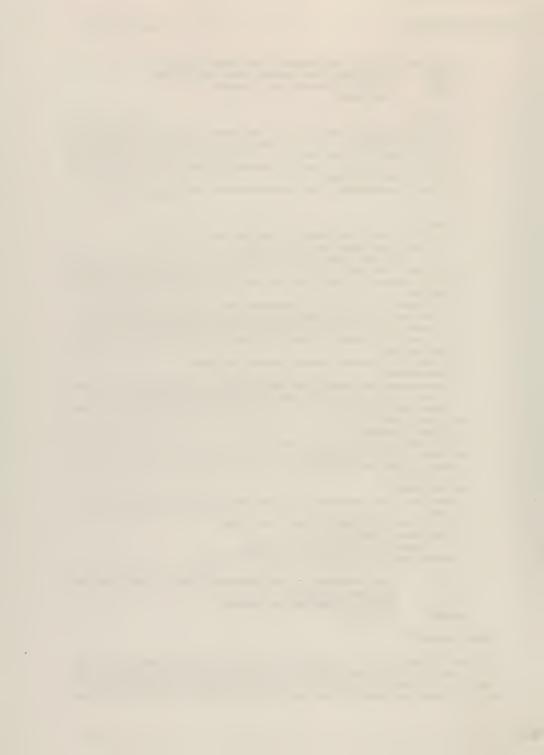
and keep the kitchen.

AYES: Baltimore, Chinchilla, Joe, Theoharis

ABSENT: Fay, Salinas

#### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been



reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S): NONE

Adjournment: 10:15 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 12, 2001.



55 15/01

# SAN FRANCISCO PLANNING COMMISSION

# Minutes of Meeting

# Calendar

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, March 15, 2001

1:30 PM

Regular Meeting

President: Anita Theoharis Vice-President: William W. Fay

Commissioners: Roslyn Baltimore; Hector Chinchilla; Cynthia Joe; Jim Salinas, Sr.

PRESENT: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

STAFF PRESENT: Amith Ghosh - Acting Director of Planning: Larry Badiner - Zoning Administrator; Kelly, LeBLanc; Tina Tam; Adam Light; Steve Shotland; Jim Miller; Andrea Wong; Patricia Gerber - Transcription Secretary; Linda Avery - Commission Secretary

#### ITEMS PROPOSED FOR CONTINUANCE A.

(LeBLANC: 558-6351) 1a. 2000.190BX 201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Sections 320-325 for authorization to deduct up to 44,500 square feet of office space from the City's Office Development Annual Limit. The proposal is for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meetings of February 8, 2001 and March 8, 2001 and Renoticed for March 15, 2001, because of change in project description- project added 2 stories and 9,500 square feet of office space by request of applicant).

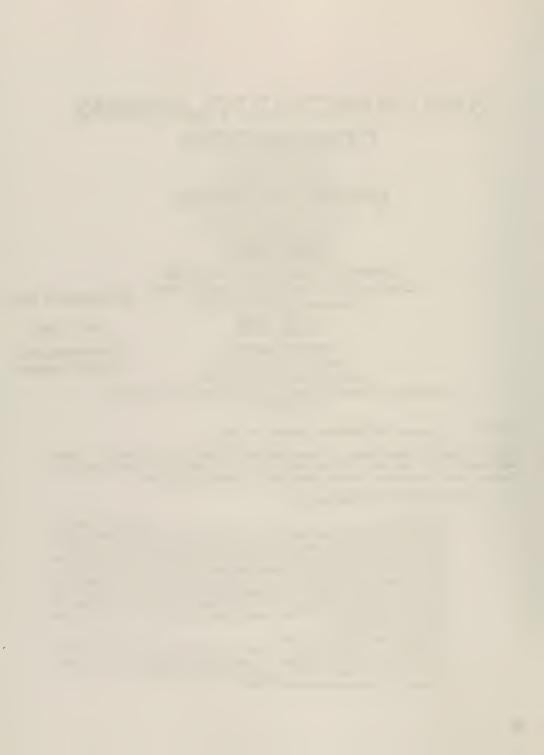
(Proposed for continuance to April 5, 2001)

DOCUMENTS DEPT.

MAY 1.5 2001

SAN FRANCISCO

PUBLIC LIBRARY



ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla

2000.190BX 1b. (LeBLANC: 558-6351)

201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the setback requirements of Section 132.1 of the Code for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of February 8, 2001, and March 8, 2001 and Renoticed for March 15, 2001, because of change in project description- project added 2 stories and 9,500 square feet of office space by request of applicant)

(Proposed for continuance to April 5, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla

2a. 2000.863BV

(WONG: 558-6381) 2712 MISSION STREET - west side, between 23rd and 24th Streets, Lot 003 in Assessor's Block 3643. The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27.831 gross-square-foot building into a 30.847 gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Disapproval

(Continued from Regular Meeting of February 22, 2001)

(Proposed for continuance to April 5, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla

2b.

2000.863BV (WONG: 558-6381) 2712 MISSION STREET - west side, between 23rd and 24th Streets, lot 003 in Assessor's Block 3643. The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate-Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

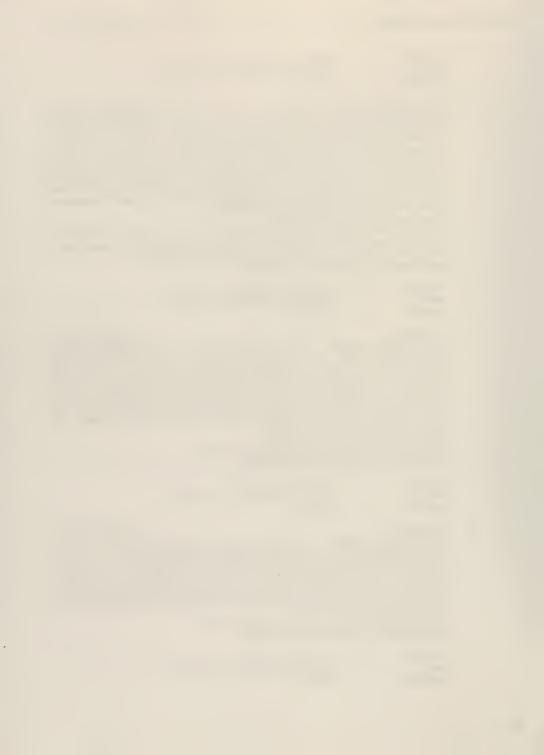
(Continued from Regular Meeting of February 22, 2001)

(Proposed for continuance to April 5, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla



3. 2000.1033D

(SMITH: 558-6322)

4328 20<sup>th</sup> STREET - Lot 016, in Assessor's Block 2697. Request for Discretionary Review of Building Permit Application No. 2000/08/01/6694 proposing to raise the existing building two feet to construct a new garage and rooms at the basement level and construct a two-story rear addition that projects 13'-6" beyond the existing rear building wall. The proposal also includes constructing two new decks at the rear of the addition, constructing a new dormer on the fourth floor, and infilling the walkway that leads to the service entry on the side of the building in an RH-3 (House, Three-Family) District; and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of February 15, 2001)

(Proposed for Continuance to April 19, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla

### B. COMMISSIONERS' QUESTIONS AND MATTERS

Consideration of Adoption - draft minutes of February 8 and 22, 2001.

ACTION: Approved as corrected

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla

Commission Matters

Baltimore: She would like to have on the calendar information on how to speed up housing online.

Salinas: - He is concerned about critical information getting to the media in a timely manner, especially regarding:

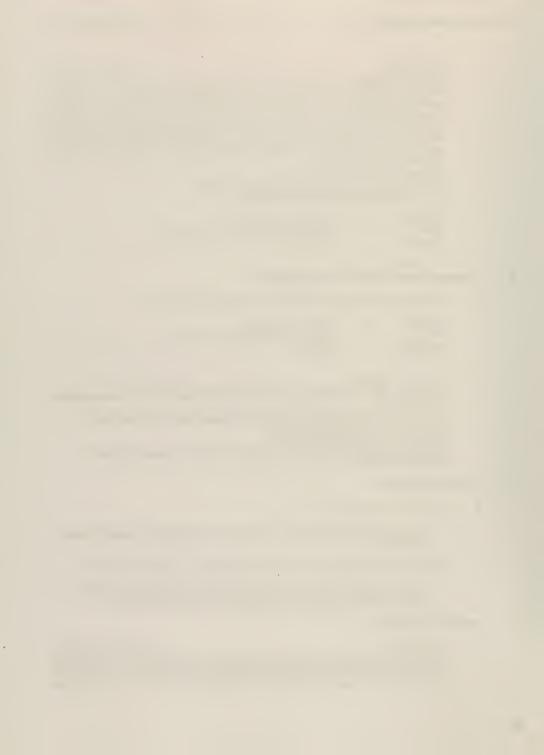
- 1) Lateness of the development fees;
- 2) Ongoing investigation of Potrero Hill (enforcement of live/work to office) Development Fees

#### C. DIRECTOR'S REPORT

- Director's Announcements
  - American Planning Association Conference in New Orleans gave an overall description
- 7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
  - Board of Supervisor's Housing, Land Use and Transportation Committee hearing on how to collect fees specifically for housing, childcare, etc.

#### D. REGULAR CALENDAR

2001.0002 ET (SHOTLAND: 558-6308)
 AMEND PLANNING CODE, ADDING SECTION 604.1, REQUIRING INFORMATION TO
 BE INCLUDED ON GENERAL ADVERTISING SIGNS - Consideration of a proposal to amend the San Francisco Planning Code by adding Section 604.1. The amendment



would require all general advertising signs to bear the name of the sign company, permit number, and permitted sign dimensions. (Board of Supervisors File No. 002196). Preliminary Recommendation: Approval

# SPEAKER(S):

# (+) Dee Dee Workman, Executive Director, San Francisco Beautiful

- This is the 3<sup>rd</sup> of three Planning Code amendments that have come before you.
- This legislation is an attempt to (manage control) of the explosion of general advertising signs that we have seen in the City for the last several years--particularly those signs going up without a permit.
- San Francisco Beautiful supports this action
- This will make illegal signs much easier to identify
- There is not enough enforcement

# (-) Tony Chow

- We should look at all sign ordinances altogther and find a solution
- Asked the Commission to continue this issue
- If the City cracks down on illegal signs, over 70 structures would be permanently removed from the City's landscape
- Commended Supervisor Leon's effort, but this still needs further discussion
- Committed to work with the City and address this issue, but requested that they be given a more reasonable time period to work out the details

# (+) Jean McClatchy

- Loves the City and the way it looks
- There has been an over exposure of messages we do not need
- Applauded Supervisor Leno for having the courage to do something about it
- The time for the industry to ask for a continuance so they can think about it some more has passed.
- Encouraged the Commission to pass this legislation

#### (-) Steve Chen, Director of Public Affairs for Infinity Outdoors

- Why add a penalty of \$1,000 per day to the already \$500.00 per day in civil penalties and \$500 per day in criminal fines that are contained in Section 176 of the Planning Code?
- This legislation does not contain due process or a remedy for minor infractions.

#### (+) Robert McCarthy

- Support the removal of illegal sings
- Support the mechanism by which those signs can be identified and easily checked by the department to make sure that they are legal
- Support the notion that all these renegade signs will be removed as soon as possible
- Asked for a one week continuance

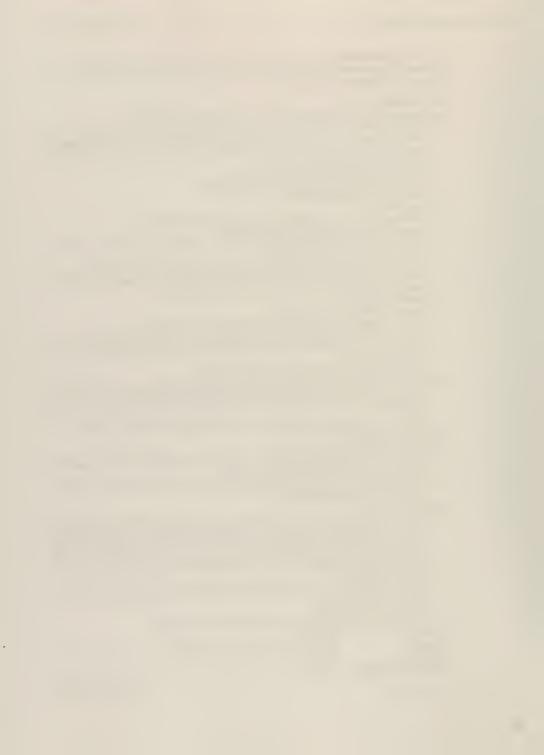
#### Supervisor Leno

- This is a companion to a piece of legislation that this Commission already approved. We want to identify and fine those that are putting up illegal signs--both the company responsible and the building owner that allows it. To help this Department with enforcement, funds collected through these fines will be allocated to them. We think that by requiring companies to put this very basic information on their signs, we would be able to do it.
- Some of the concerns voiced really only represent a very small percentage of what we are addressing here.
- We need to move forward
- Would like to see this legislation at the Board by the end of April

ACTION: Adopted

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla RESOLUTION NO: 16112



500 PINE STREET - northwest corner at Kearny Street, Lots 4-9 in Assessor's Block 258. Request under Planning Code Sections 320-325 for authorization to deduct up to 44,450 square feet of office space from the City's Office Development Annual Limit. The proposal is for the construction of a five-story, 65-foot tall building with a total of approximately 69,390 gross square feet including up to 44,450 square feet of office space, approximately 5,720 square feet of ground floor retail space and approximately 8,650 square feet of parking (17 independently accessible spaces or 29 operated on a tandem/valet basis), plus approximately 1000 square feet of open space. The site is currently vacant except for two billboards that will be removed. No parking or loading spaces are required. This project lies within a C-3-O (Downtown Office) District and a 300-S Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

# SPEAKER(S):

# (+) Bob McCarthy

- This project is way overdue
- It is located in Saint Mary's Square Park
- This might be San Francisco's most prominent excavation site
- Before someone gets the idea that perhaps the best thing to do with it is to landmark it, we are going to put something useful here.
- The housing contribution is over half a million dollars
- The transportation contribution is over a quarter of a million dollars
- 200 new jobs would be created with this project

# (+) Jeff Heller - project architect

- Gave an overall description of the project

#### (+) Dee Workman

 It is her understanding that when this project goes up, there will be two long independently standing billboards that are going to come down. She supports that.

#### (+) Debra Stein

- There are not many people who believe that perpetuation of status quote is a better alternative than this project
- She supports the project

# (+) Stan Warren, Represents San Francisco Building and Construction Trade Council

- Supports the project
- Job are going to be created

#### (+) Carrol Gilbert

- She is a tenant in the building next door
- Has worked her entire adult life in that building
- She would be very grateful to see that hole go away

# (+) Sandy Smilloni, Property Manager at 601 Kearny Street

- Her only concern is that the Shorestein Company look at the water tower location that will be adjacent to 601 California
- During the Saint Mary's retrofit project, we received a lot of fumes that resulted in a lot of indoor air quality issues

# (+) Ken Cleveland

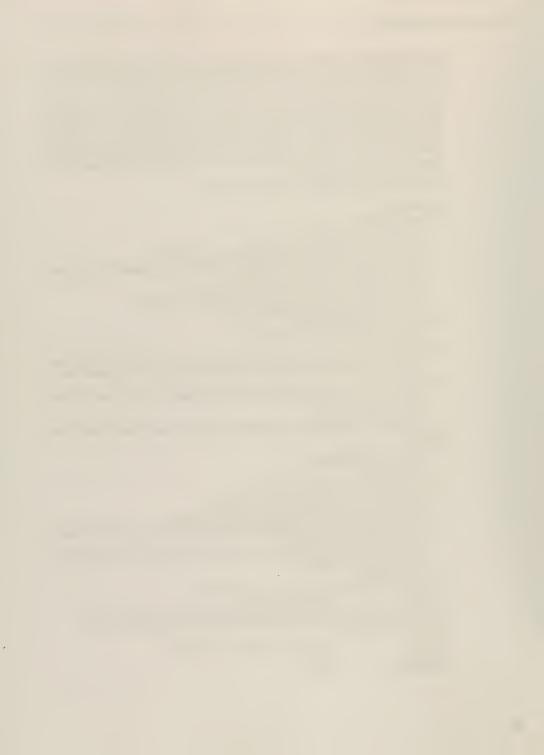
This project will benefit the entire city of San Francisco

ACTION: Approved as amended:

Revisions to the Motions and conditions of approval, including a requirement that the Project open space be open to the public from sunrise to sunset, Monday through Sunday, at a minimum.

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16113



9b. 2000.539B<u>C</u>X

(LeBLANC: 558-6351)

500 PINE STREET - northwest corner at Kearny Street, Lots 4-9 in Assessor's Block 258. Request under Planning Code Sections 303, 204.5 and 157 for conditional use authorization for off-street parking spaces in excess of the amount allowed as accessory. The proposal is for the construction of a five-story, 65-foot tall building with a total of approximately 69,390 gross square feet including up to 44,450 square feet of office space, approximately 5,720 square feet of ground floor retail space and approximately 8,650 square feet of parking (17 independently accessible spaces or 29 operated on a tandem/valet basis), plus approximately 1000 square feet of open space. The Code allows a maximum of 15 parking spaces as accessory. The site is currently vacant except for two billboards that will be removed. No parking or loading spaces are required. This project lies within a C-3-O (Downtown Office) District and a 300-S Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

**SPEAKER(S):** Same as those listed for item 9a.

ACTION: Approved with conditions

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16114

9c. 2000.539BCX

(LeBLANC: 558-6351)

500 PINE STREET - northwest corner at Kearny Street, Lots 4-9 in Assessor's Block 258. Request under Planning Code Section 309 for determinations of compliance. The proposal is for the construction of a five-story, 65-foot tall building with a total of approximately 69,390 gross square feet including up to 44,450 square feet of office space, approximately 5,720 square feet of ground floor retail space and approximately 8,650 square feet of parking (17 independently accessible spaces or 29 operated on a tandem/valet basis), plus approximately 1000 square feet of open space. The Project does not require any exceptions to Section 309. The site is currently vacant except for two billboards that will be removed. No parking or loading spaces are required. This project lies within a C-3-O (Downtown Office) District and a 300-S Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): Same as those listed for item 9a

ACTION: Approved with conditions

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16115

10. 2000.1108C

(TAM: 558-6325)

3995 ALEMANY BOULEVARD - south of Alemany Boulevard, between Worchester Street and St. Charles Avenue, Lots 3 in Assessor's Block 7126A. Request for Conditional Use Authorization under Planning Code Section 713.21, 713.27, and 121.2 for the proposed establishment of a fitness center (Bally Fitness), approximately 25,792 square feet in size, operating between 5:00 a.m. to 12:00 midnight, in an NC-S (Neighborhood Commercial-Shopping Center) District and 40-X Height and Bulk District. Preliminary Recommendation: Approval with conditions

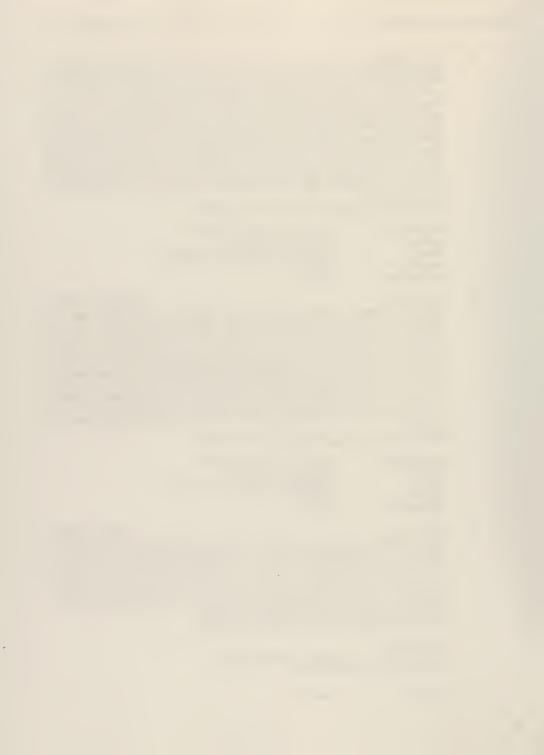
(Continued from Regular Meeting of February 15, 2001)

#### SPEAKER(S):

(+) Steve Vettel, representative of Project Sponsor

- Presented some letters of support

ACTION: Approved



AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16116

11a. 2000.986XBCH

(LIGHT: 558-6254)

150 POWELL STREET - east side at the southeast corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Planning Code Section 309 (Downtown Code) for Determination of Compliance and Exceptions, including an exception for the off-street freight loading requirement (Section 132.1(c)), an exception to the sunlight access requirement (Section 146), a height exception in the 80-130-F height and bulk district (Section 263.8), and a bulk exception (Section 272), in a C-3-R (Downtown Retail) zoning district and a 80-130-F height and bulk district. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven-story horizontal addition and a three-story vertical addition, to the existing Category IV building. The expanded building would contain two stories of retail and five stories of office.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of March 1, 2001)

#### SPEAKER(S):

#### (+) Steve Atkinson

- Thanked Planning Department staff
- Expressed his appreciation to San Francisco Heritage
- This project is a sensitive urban infill project in a transit friendly location that merits full Commission support
- The project provides numerous benefits to the City
- It was seismically rehabilitated and preserved its category rating.
- This is an outstanding urban design, which successfully integrates the restored 150 Powell Street building with the new construction while respecting the surrounding district with respect of height, appearance and scale.
- It also provides two and half floors of high quality retail space--which substantially increases the amount of retail space on site.
- Provides expanded office space on the upper floors, which are not suitable for retail.
- Will promote numerous objectives of the General Plan and will pay substantial impact fees and taxes
- Will be contracting with 100% union labor

# (+) John McNulty, MBA Architects

- This is a wonderful project for the city of San Francisco
- Gave an architectural explanation about the project
- (+) LiAnn Matchie, Executive Director, Union Square Business Improvement District
  - Supports this project

#### (+) Ronald Thompson

- Supports the project
- Will create a lot of jobs for disadvantaged people in the City
- (+) Keneth Cleavland, representing Building Owners, Managers Association
- This is a first class project in a difficult location. It will be a plus for downtown
- (+) Jorge Castillo
- Supports the project
- This project will bring a lot of business and jobs to the people of San Francisco
- (+) Richard Futto, South Bay Construction
- Supports the project
- (+) Carolyn, Current Property Manager for the building
- Lived there for 10 years



- This has been a long awaited and anticipated project. She is very anxious for this to happen

#### (-) Steve Williams

- No doubt that this project has a lots fine characteristics and merits
- In his opinion, it does not fit within the spirit of this conservation district
- It is important we pay attention to the rules that applies in a conservation district
- This project does not protect the architectural characteristics of the O'Farrell block face

# (-) Craig Albert

- Stated two concerns that 165 O'Farrel Street has in relation to this new project on the corner of O'Farrel and Powell:
- 1. Property line windows (there are about 28 windows)
- Applicant is proposing to cover all windows. There has not been an effort to work together with tenants
- Request that the Planning Commission require a setback to preserve the windows
- Applicant is requesting a variance on the freight loading, which has been placed directly adjacent to the property at 165 O'Farrel Street
- This will a negative impact on the future potential of this property

### (-) Sue Hestor

- Gave a list of pending projects. She stated that the amount of available square footage for allocation is not as great as the number of projects that are pending.
- Commission should start looking at things competitively in this small building allocation rather than have a potential crisis.
- Number of hearings used on the Downtown Plan where significant. There is a difference between C-3-O and C-3-R
- Sunlight is a great concern. If the streets are not sunny, it is not a pedestrian experience--especially for tourists that come here in Summer

# ACTION: Approved as amended:

The Project Sponsor and the Project architect shall continue to work on design development with the Planning Department staff to develop further and to refine the design of the proposed project in terms of facade design and massing, with particular attention given to the fenestration pattern and materials on the eastern-most tower portion of the O'Farrell Street facade

AYES: Theoharis, Fav. Baltimore, Joe, Salinas

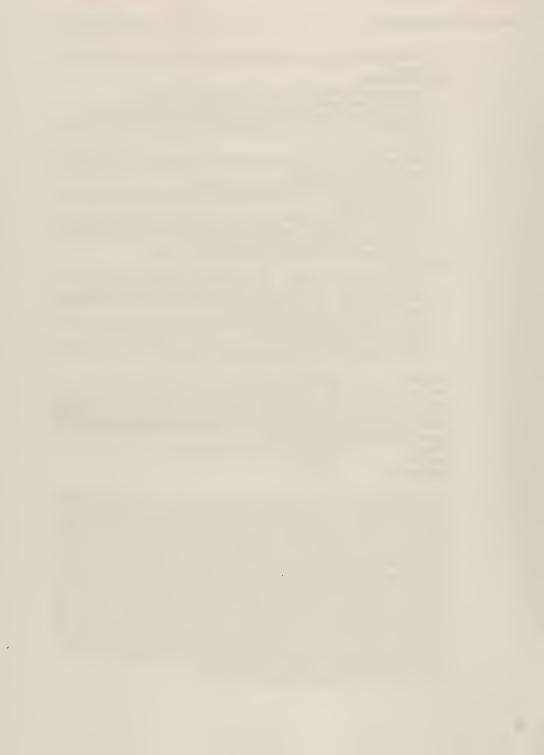
ABSENT: Chinchilla MOTION NO: 16117

#### 11b. 2000.986XBCH

(LIGHT: 558-6254)

150 POWELL STREET - east side at the southeast corner of O'Farrell Street, Lot 22, in Assessor's Block 327 -- Request under Planning Code Sections 320-325 (Office Development Limitation Program) for a 7-story, 122-foot tall building with up to 70,000 gross square feet office space, approximately 40,000 square feet of which would be net new office space, and approximately 41,000 square feet of retail space, in a C-3-R (Downtown Retail) zoning district and a 80-130-F height and bulk district. Pursuant to Planning Code Section 313, the Department has determined that the project would result in the net addition of approximately 40,000 square feet of gross floor area office use, requiring compliance with the Office of Affordable Housing Production Program. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven story horizontal addition and a three-story vertical addition, to the existing Category IV building. The expanded building would contain two stories of retail and five stories of office.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of March 1, 2001)



SPEAKER(S): Same as those listed in item 11a.

ACTION: Approved

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16118

11c. 2000.986XBCH

(LIGHT: 558-6254)

150 POWELL STREET - east side at the corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Planning Code Section 219(c) for a Conditional Use authorization for office uses in a C-3-R zoning district and a 80-130-F height and bulk district. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven-story horizontal addition and a three-story vertical addition, to the existing Category IV building. The building would contain two stories of retail and five stories of office.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): Same as those listed in item 11a

ACTION: Approved as amended:

The Project Sponsor and the Project architect shall continue to work on design development with the Planning Department staff to develop further and to refine the design of the proposed project in terms of facade design and massing, with particular attention given to the fenestration pattern and materials on the eastern-most tower portion of the O'Farrell Street facade

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16119

11d. 2000.986XBCH

(LIGHT: 558-6254)

150 POWELL STREET - east side at the southeast corner of O'Farrell Street, Lot 22, in Assessor's Block 327. Request under Section 1111.6 for a Permit to Alter for major alterations to a Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The proposal is to seismically upgrade and expand an existing four-story Category IV building in the Kearny-Market-Mason-Sutter Conservation District. The expansion will include the demolition of three smaller adjacent buildings fronting on O'Farrell Street, a seven-story horizontal addition and a three-story vertical addition, to the existing Category IV building. The building would contain two stories of retail and five stories of office.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of March 1, 2001)

SPEAKER(S): Same as those listed in item 11a.

ACTION: Approved

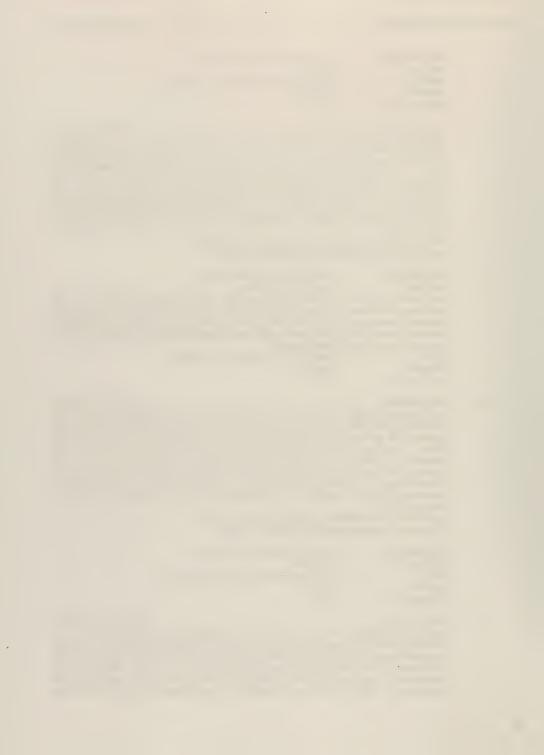
AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16120

12a. 2000.1172CV

(MILLER: 558-6344)

665 BUSH STREET - south side between Powell Street and Chelsea Place, with additional frontage on Anson Place, Lots 11 and 12 in Assessor's Block 285 -- Request for authorization of a Conditional Use for modification of an earlier Conditional Use authorization for a hotel (Orchard Hotel) (Motion No. 11619, Case No. 1986.346VC) for Conversion of eight off-street Parking Spaces to storage, also the subject of Variance Application No. 2000.1172CV (for elimination of the eight parking spaces which are



Code-required), within an RC-4 (Residential-Commercial Combined, High Density) District and an 80-130-F Height and Bulk District.

Preliminary Recommendation: Approval with conditions

### SPEAKER(S):

# (+) Ahmad, Representing Orchard Hotel

- Project was before the Commission a long time ago

 If Commission does not approve this project this time we will have more problems, such as fire safety.

Fire trucks would not be able to enter in case of a fire

ACTION: Approved

AYES: Theoharis, Fay, Baltimore, Joe, Salinas

ABSENT: Chinchilla MOTION NO: 16121

12b. 2000.1172CV

(MILLER: 558-6344)

665 BUSH STREET - south side between Powell Street and Chelsea Place, with additional frontage on Anson Place, Lots 11 and 12 in Assessor's Block 285 -- within an RC-4 (Residential-Commercial Combined, High Density) District and an 80-130-F Height and Bulk District. Off-Street Parking Variance Sought: The proposal is to convert eight existing off-street parking spaces to storage space in conjunction with a 123-room tourist hotel with up to 1,800 gross square feet of ground-floor restaurant / bar space (the Orchard Hotel and "V" Restaurant)

SPEAKER(S): Same as those listed for item 12b.

ACTION: ZONING ADMINISTRATOR CLOSED PUBLIC HEARING AND STATED

THAT HE WOULD GRANT THE VARIANCE.

13a. 1999.795BCD

(WONG: 558-6381)

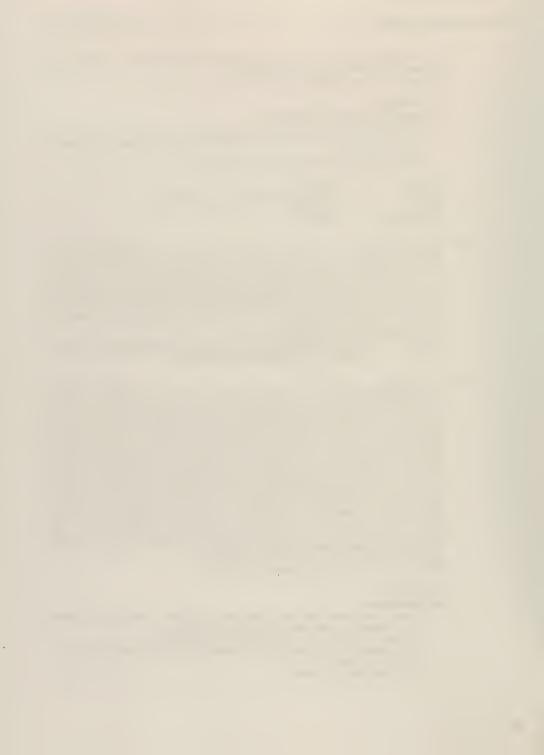
177 TOWNSEND STREET - south side, being a through lot to King Street, between Second and Third Streets; Lots 004 and 007 in Assessor's block 3794. Request under Planning Code Section 321 for authorization to construct up to 46,775 gross square feet of office use. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square feet of office space, pursuant to Planning Code Section 313.4. The subject property falls within an M-2/MUHZ (Heavy Industrial and Mixed Use Housing Zone) Zoning District and a 105-F Height and Bulk District. The proposal is to demolish two existing one-story warehouse buildings and to construct a new mixed-use building containing 62 dwelling units, approximately 29,275 gross square feet of ground floor retail space, approximately 46,775 gross square feet of office space and approximately 425 parking spaces on a 42,969 square foot site; approximately 211 of those parking spaces are considered required parking. The building would contain a total of approximately 342,449 gross square feet of space, including the residential uses, and would be approximately 105 feet in height. Parking and loading will be accessed from Townsend Street.

Preliminary Recommendation: Approval with conditions

#### SPEAKER(S):

#### (+) Bob McCarthy

- Project is right across from the new ballpark and adjacent to two projects approved by the Commission. Rosenberg's project is at 169 King
- It is consistent with the bulk and heights of two near buildings
- It is consistent with N-2 zoning, and is consistent with the proposed SCO which has not yet been passed
- Gave a description of the project



- One of the major concerns of this Commission has been housing. This project creates affordable housing. It also creates nearly 4 times the amount of required open
- There will be retail/office space on King and Townsend
- This project will benefit everybody in the neighborhood

# (+) Bob Mose, Head of Project Team

- For over 30 years his company has completed projects in key areas around the City—such as the one at King and Townsend
- This project would contribute to the Ball Park neighborhood

# (+) Andreas Skreske, Project Architect

- This project is a very important project, not only for what it has to offer the community and the neighborhood, but also for where it is located and who his neighbors are.

#### (+) David Collins, AMCO System Parking

- His company intends to manage the parking garage
- Urged the Commission to support the project

# (+) Ken Cleavland, representing, Building Managers and Owners Association

- Supports the project because it is obviously a high quality mixed use project in a perfect location
- Good project that brings parking to the South of Market that has been lost to new developments

#### (+) John Taltee

- Owns property to the south of the proposed project
- Property owner consulted with him in regard to the design of this building
- Proposed building fits within the neighborhood

#### (-) Sue Hestor

- Referred to a letter sent to the Commission protesting the fact that this project is calendared as 177 Townsend Street. That address has never appeared as the address of this project. It has been called King-Townsend through the entire process.
- The Department needs to be consistent in how it labels projects
- Housing components seems to be more of what we have lots of--lofts.
- The Planning Commission has the obligation of determining if this is housing
- These are no family homes. These are corporate lofts.

ACTION: Approved as amended

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

MOTION NO: 16122

#### 13b. 1999.795B<u>C</u>D

(WONG: 558-6381)

177 TOWNSEND STREET - south side, being a through lot to King Street, between Second and Third Streets; Lots 004 and 007 in Assessor's block 3794. Request for Conditional Use Authorization for the creation of 62 dwelling units, under Planning Code Section 215 (a); a bulk exception for that portion of the proposed project that exceeds 80' in height, under Planning Code Section 271; and for a Planned Unit Development, under Planning Code Section 304, which includes the following two exceptions: (i) the elimination of the required 25% of lot depth rear yard setback for the residential use, under Planning Code Section 134 (a) (1) and (ii) the substitution of two service vehicle spaces for one required off-street freight and loading space.

Preliminary Recommendation: Approval with conditions

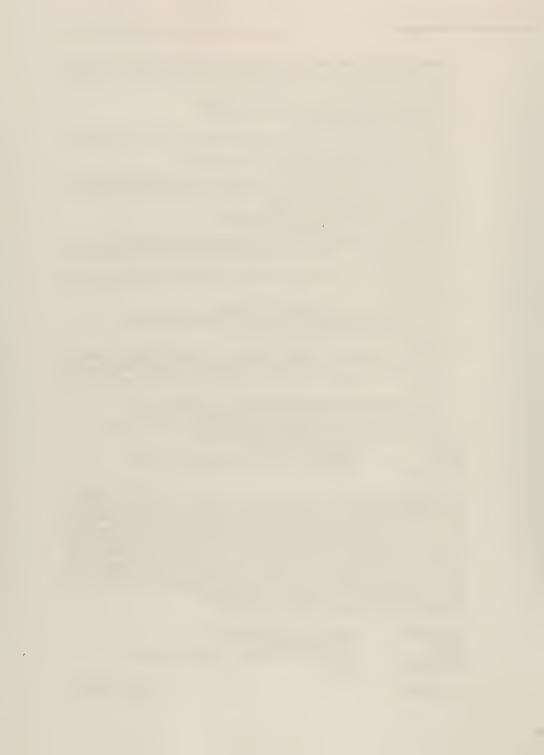
SPEAKER(S): Same as those listed for item 13a

ACTION: Approved as amended

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

**MOTION NO:** 16122

13c. 1999.795BCD (WONG: 558-6381)



177 TOWNSEND STREET - south side, being a through lot to King Street, between Second and Third Streets; Lots 004 and 007 in Assessor's block 3794. Staff-initiated Discretionary Review for projects that do not meet the more restrictive provisions of the proposed South End permanent controls. The parking requirement under the M-2 zoning district is 1 parking space per 500 square feet of occupied office space (84 spaces for 42,098 square feet of occupied floor area). The parking requirement under the proposed South End controls would be 1 space per 750 square feet of office space (56 spaces). The project proposes a parking facility of approximately 425 off-street parking spaces, of which 211 spaces are considered required parking. Where a conditional use would be required for parking exceeding accessory amounts under the proposed controls, a Discretionary Review is mandated.

Preliminary Recommendation: Do not take Discretionary Review

SPEAKER(S): Same as listed for item 13a ACTION: Approved as amended

AYES: Theoharis, Fay, Baltimore, Chinchilla, Joe, Salinas

**MOTION NO:** 16122

At Approximately 4:00 PM the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

14. 2000.813D (MILLER: 58-6344)

800 POWELL STREET (AKA 105 MILES STREET) - east side, north of California Street between Powell and Stockton Streets, Lot 54 in Assessor's Block 243 ("University Club", aka 800 Powell Street) -- Request for Discretionary Review of Building Permit Application No. 2000-06-21-3244S proposing to construct a one-story addition to an existing sports facility in conjunction with the adjacent University Club (800 Powell Street), pursuant to a Conditional Use authorized on August 20, 1998, by Planning Commission Motion No. 14681 (Case No. 1997.358C). The addition would accommodate squash courts, an exercise and fitness center, as well as shower and locker facilities. This property is within an RM-4 (Mixed Residential, High Density) District, the Nob Hill Special Use District, and a 65-A Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted

(Continued from Regular Meeting of March 1, 2001)

SPEAKERS: None

ACTION: COMMISSION DETERMINED THAT THIS MATTER WAS NOT

PROPERLY BEFORE THEM

15. 2000.1159D (WANG: 558-6335)

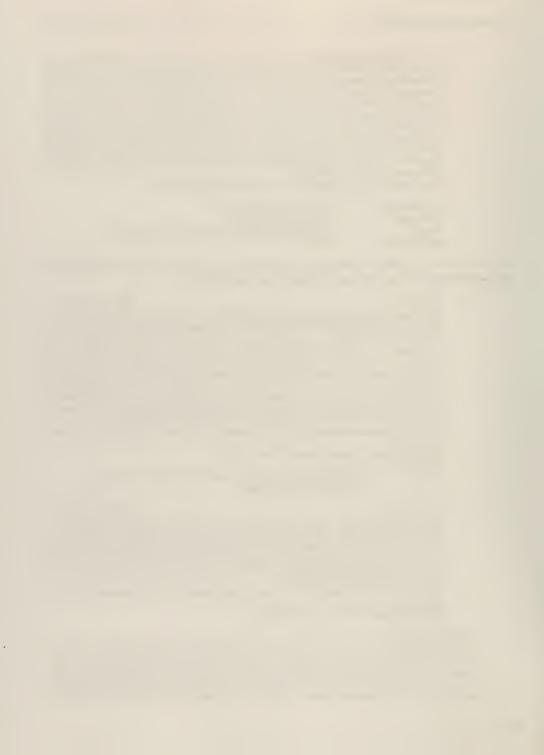
67 PRAGUE STREET - southeast side on the north of Brazil Avenue and adjacent to McLaren Park at rear; Lot 017 in Assessor's Block 6025. Request for Discretionary Review of Building Permit Application No. 2000/06/02/1648. The proposal is to construct a two-story rear addition and a partial third floor vertical addition, at the existing one-story over garage, single-family dwelling, in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

DISCRETIONARY REVIEW WITHDRAWN

#### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the



Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a)) SPEAKER(S):

Tim Tostas

Re: 105 Miles Street (University Club)

Rev. Arnold Thompson

Re: 105 Miles Street (University Club)

Deborah Blackburn

Re: 105 Miles Street (University Club)

Adjournment: 5:00 p.m.



# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, March 22, 2001

1:30 PM

**Regular Meeting** 

DOCUMENTS DEPT.

MAY 1 5 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:48 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Ann Marie Rodgers; Blake Washington; Craig Nikitas; Adam Light; Elizabeth Gordon; Rick Crawford; Pedro Arce; Dan Sider; Sailesh; Mehra; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

 2000.1092C (MEHRA: 558-6257) 3632-38 SACRAMENTO STREET - north side between Spruce and Locust Streets; Lot 9 in Assessor's Block 1011. Request for Conditional-Use Authorization pursuant to Planning Code Section 724.53, to allow Business or Professional Service on the first floor of the subject property and to legalize the conversion of the second floor dwelling unit to office use in the Sacramento Street NCD (Neighborhood Commercial District) in a 40-X Height and Bulk District.

Preliminary Recommendation: Disapproval

(Continued from Regular Meeting of January 11, 2001)

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore



2a. 2000.1268XCV

(LIGHT: 558-6254)

663-665 SUTTER STREET - south side between Mason and Taylor Streets, Lot 11, in Assessor's Block 297. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception for a building exceeding 80 feet in a 80-130-F District (Section 263.8), and an exception to the bulk limit (Section 270) for a new building in a C-3-G District (Section 138). The proposal is to build an 88'-0" high, 10-level (3 below grade, 7 above grade) structure containing a total of 92,380 square feet, including 212 parking spaces, and approximately 41,880 square feet of recreation space (swimming pool, gymnasium, and women's locker room facilities) that will connect to the rear of the existing Olympic Club which faces on Post Street.

Preliminary Recommendation: Approval with Conditions

(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

2b. 2000.1268X<u>C</u>V

(LIGHT: 558-6254)

663-665 SUTTER STREET - south side between Mason and Taylor Streets, Lot 11 in Assessor's Block 297. Request for a Conditional-Use Authorization for a parking garage in a C-3-G District (Section 223(n)). See description in item (a) above. The proposal is to build an 88'-0" high, 10-level (3 below grade, 7 above grade) structure containing a total of 92,380 square feet, including 212 parking spaces, and approximately 41,880 square feet of recreation space (swimming pool, gymnasium, and women's locker room facilities) that will connect to the rear of the existing Olympic Club which faces on Post Street.

Preliminary Recommendation: Approval with Conditions

(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

2c. 2000.1268XCV

(LIGHT: 558-6254)

663-665 SUTTER STREET - south side between Mason and Taylor Streets, Lot 11 in Assessor's Block 297. Request for a variance from the open space requirements for a new building in a C-3-G District (Section 138). The applicant does not propose any public open space for this project and would like to make an in-lieu payment to the open space fund. See description in item (a) above. The proposal is to build an 88'-0" high, 10-level (3 below grade, 7 above grade) structure containing a total of 92,380 square feet, including 212 parking spaces, and approximately 41,880 square feet of recreation space (swimming pool, gymnasium, and women's locker room facilities) that will connect to the rear of the existing Olympic Club which faces on Post Street.

Preliminary Recommendation: Approval with Conditions

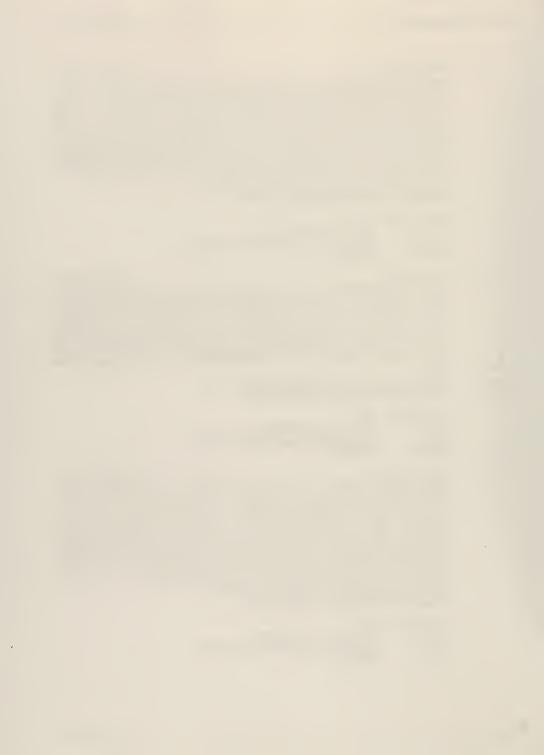
(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore



1999.210E

(BLOMGREN: 558-5979)

3620 - 19th STREET - within the block bound by 18th Street, Guerrero Street, 19th Street and Oakwood Street, Assessor's Block 3587, Lots 18, 68, and 70. The proposal is an Appeal of a Preliminary Negative Declaration. The proposed is a new construction of five two-, three-, and four-story buildings containing a total of 43 dwelling units. The site currently has a 32-space parking lot, which is accessed by a gate on Oakwood and a facade of an industrial building at the 3620 19th Street frontage, which would be demolished. The new buildings would reach a maximum height of 40 feet in a 40-X height/bulk district. Lots 68 and 70 are located in a RH-2 (Residential House, Two-Family) zoning district. Lot 18 is located in a RH-3 (Residential House, Three-Family) zoning district.

Preliminary Recommendation: Upheld Preliminary Negative Declaration

(Continued from Regular Meeting of February 22, 2001)

(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

4. 1999.210C

(PURVIS: 558-6354)

<u>3620 - 19TH STREET</u> - north side between Oakwood and Guerrero Streets, a through lot with frontage on Oakwood Street; Lots 18, 68 & 70 in Assessor's Block 3587. Request for Conditional-Use Approval under Planning Code Section 304 to develop a 44-unit residential PUD (Planned Unit Development), with exceptions from the rear yard requirements of Section 134 and density standards of Section 209.1(g) & (h), within an RH-2 (Residential, House, 2-Family) Zoning District and an RH-3 (Residential, House, 3-Family) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

5. 2000.1165B

(BRESSANUTTI: 558-6892)

<u>2 HENRY ADAMS STREET</u> - west side, between Division Street and Alameda Street; Lot 1 in Assessor's Block 3910. Request under Planning Code Sections 320-322 for project authorization of an office development consisting of the conversion of up to 49,900 square feet in an existing building (San Francisco Design Center) from wholesale design showroom space to office space. This notice shall also set forth an initial determination of the net addition of gross square feet of office space, pursuant to Planning Code Section 313.4. The subject property is located in an M-2 (Heavy Industrial) District and the Industrial Protection Zone, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

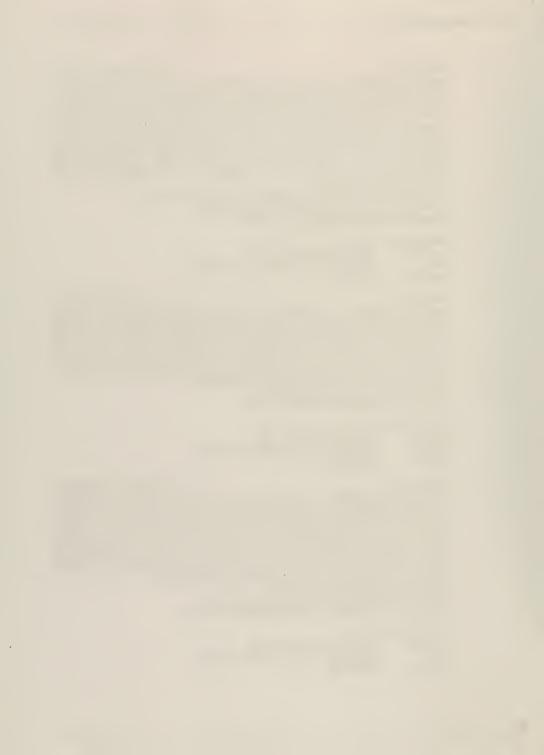
(Continued from Regular Meeting of February 22, 2001)
(Proposed for Continuance to April 5, 2001) April 12, 2001

SPEAKER(S): None

ACTION: Continued to April 12, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore



6. 2001.0034C

(WOLOSHYN: 558-6612)

1290 CHESTNUT STREET - north side at northeast corner of Van Ness Avenue, Lot 011 in Assessor's Block 0478. The proposed is a request for Conditional-Use Authorization under Planning Code Section 209.8(d) to allow office use above the ground story in an RC (Residential-Commercial Combined) District. The proposal is to alter an existing three-story office building (currently 30 feet in height) by adding a new fourth story to contain 262 square feet of office space resulting in a new height of 40 feet. The proposal also includes modifications to the existing third story (reduced in size by 214 square feet) and façade alterations. The total net increase in floor area is 48 square feet. The subject property is located in an RC-3 (Residential-Commercial Combined, Medium Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Proposed for Continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

7a. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side, between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. The proposed is a request for a Conditional-Use Authorization to allow the construction of two dwelling units in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer, per Planning Code Section 215(a) and Planning Commission Resolution No. 14861, and a 40-X Height and Bulk District.

Preliminary Recommendation: Disapproval (Proposed for Continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

7b. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Request for staff-initiated Discretionary Review for the demolition of an existing, vacant industrial building and construction of housing and office use in an existing industrial building space in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer per Planning Commission Resolution Nos. 14861 and 16079; and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review (Continued from Regular Meeting of February 22, 2001)

(Proposed for Continuance to April 5, 2001)

SPEAKER(S): None

ACTION: Continued to April 5, 2001

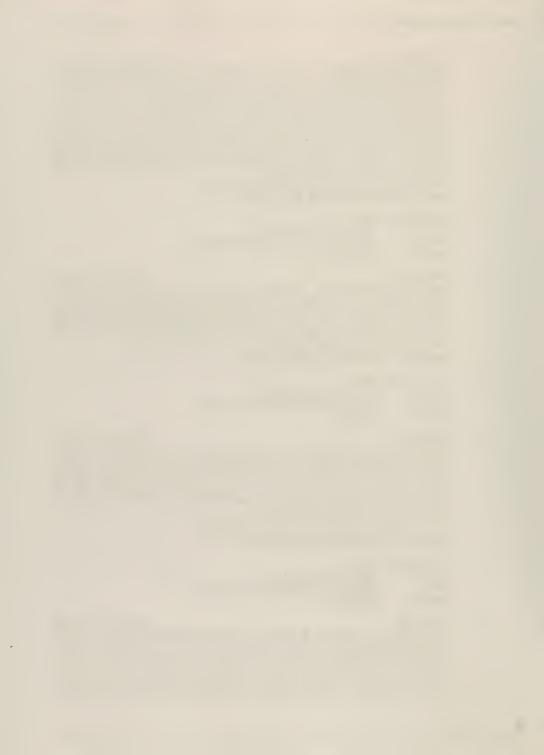
AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

8. 2001.0035E

(BUFORD: 558-5973)

TAXI PERMITS - CITYWIDE - Appeal of a Preliminary Negative Declaration. The San Francisco Taxi Commission, City and County of San Francisco, proposes to issue approximately 500 additional taxi permits (medallions) over the next five years. After implementation of the project, the number of taxi permits available in the City would increase from 1,381 to 1,881, an increase of approximately 36%. New permits may be issued if supported by a finding that additional permits are required to meet the public



convenience and necessity. Once issued, the permits would result in 500 additional taxis in use.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Proposed for continuance to April 12, 2001)

SPEAKER(S): None

ACTION: Continued to April 12, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

9. 2000.1061E (WYCKO: 558-5972)

400 PAUL AVENUE - bounded by Paul Avenue, Third Street, Bayshore Boulevard and railroad spur track, Lot 14 of Assessor's Block 5431A. The proposal is an **Appeal of a Preliminary Negative Declaration** for the demolition of an existing, 40-foot-high warehouse/distribution building, which totals approximately 89,400 gross square feet to be replaced by a newly constructed 65-foot-high structure with 339,300 gross square feet of space for Internet and telecommunication equipment and 155 off-street parking spaces. The proposed facilities would be warehouses for telecommunication switches and operational equipment that provides data services to Internet users. The proposed project is an allowed use within M-1 District and is situated within an Industrial Protection Zone.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Proposed for continuance to April 12, 2001)

SPEAKER(S): None

ACTION: Continued to April 12, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

10. 2000.1061C (MARTIN: 558-6616)

400 PAUL AVENUE - north side, between Third Street and Bayshore Boulevard, Lot 014 in Assessor's Block 5431A. Request for a Conditional-Use Authorization under Section 271 (Bulk Limits: Special Exceptions in Districts other than C-3) of the Planning Code to allow the construction of a telecommunications facility exceeding the bulk requirements of Planning Code Section 270 and to demolish an existing industrial building which has not been vacant for more than fifteen months, in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone, per Planning Commission Resolution No. 14861 and a 65-J Height and Bulk District.

Preliminary Recommendation: Disapproval (Proposed for continuance to April 12, 2001)

SPEAKER(S): None

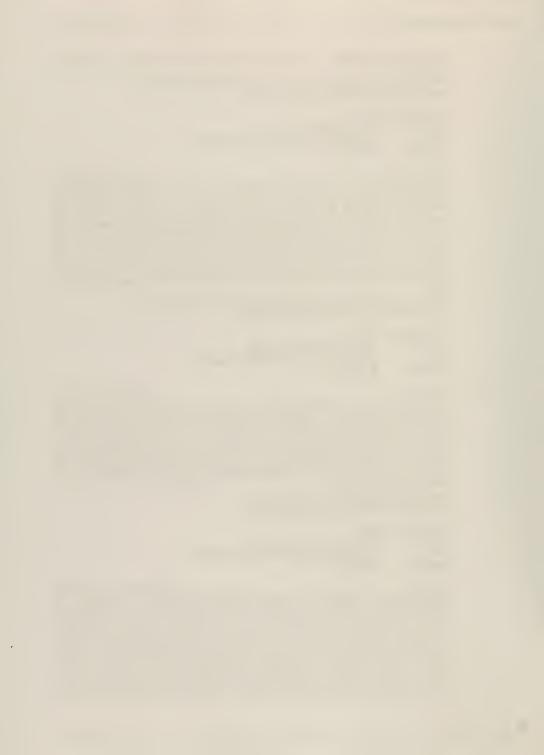
ACTION: Continued to April 12, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

11. 2000.585E (JAROSLAWSKY: 558-5970)

428 8th STREET - Appeal of a Preliminary Negative Declaration. The property is on Lot 002 of Assessor's Block 3757, located on the west side of 8th Street. The proposal includes the demolition of five existing structures on the project site and the construction of a three-story, 105,500-square-foot structure to contain business service uses, which is a permitted use within the district. The project site is on 8th Street with frontage on both 8th and Converse Streets. The subject site is within an SLI (Service Light Industrial) District and a 40-X Height and Bulk District within the South of Market District of the City of San Francisco. Two of the existing structures on the site are utilized as storage sheds and the remaining three structures are vacant. The proposed new structure would



entirely encompass the subject site, be a maximum of 40 feet in height and contain three stories. The project would include an open courtyard and 100 below-ground parking spaces. Preliminary Recommendation: Uphold Preliminary Negative Declaration (Proposed for continuance to June 7, 2001)

SPEAKER(S): None

ACTION: Continued to June 7, 2001

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

12. 2000.1128DD (WANG: 558-6335)

230 JOOST AVENUE - north side between Baden and Congo Streets; Lot 013 in Assessor's Block 6765. The proposal is to demolish an existing vacant, two-story, single-family dwelling and construct a new two-story over garage, single-family dwelling in an RH-1(Residential, House, One-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as revised.

DISCRETIONARY REVIEW WITHDRAWN

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

13. Consideration of Adoption - draft minutes of March 1, 2001.

SPEAKER(S): None
ACTION: Approved

AYES: Chinchilla, Fay, Joe, Salinas, Theoharis

ABSENT: Baltimore

Commission Matters

None

#### C. DIRECTOR'S REPORT

- Director's Announcements.
  - Free lecture series
  - Resignation of Hillary Gitelman. Her new position will be the Director of Planning for the Presidio Trust
- 16. Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOA None

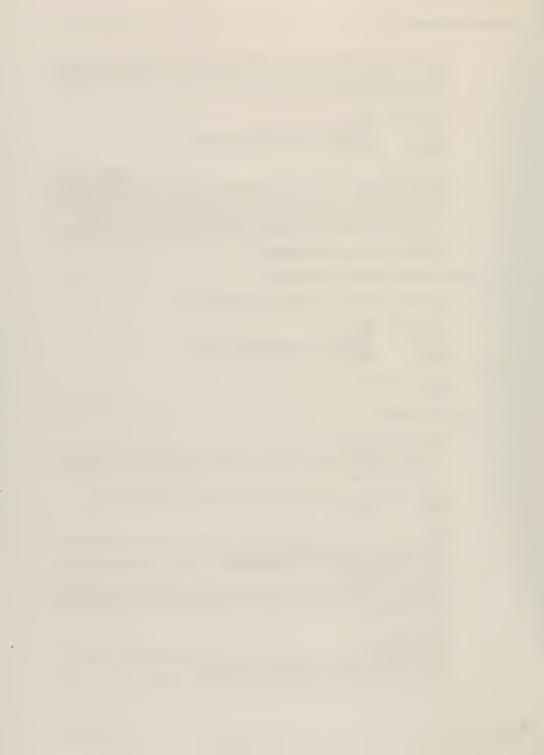
## BOS

- Someone from staff is representing the Director and the Zoning Administrator at the Transportation and Land Use Committee meeting.
- There has been a request from the BOS to have an audit done on the management of the Planning Department.
- There will be a hearing before the Transportation and Land Use Committee considering approving dot.com uses and what is the impact of those decisions. We are concerned about the outcome.

#### SPEAKER(S):

#### Patricia Voughey

- Hillary Gitelman wrote a very thorough environmental report on the Presidio. Ms. Voughey hopes that the department backs up the report.
- This report has (now) put the department in a compromising position.



# 17. Status Report for 2844 Greenwich Street

# SPEAKER(S):

# (+) Patricia Voughey

- She supports what the department has recommended.
- She would like to know the criteria for adding the square footage.
- She recommends that the department ok the NSR and bring it back to the building department.

# (-) Calvin Fung

- He is a neighbor
- This has been going on for a few years.
- They have in the past tried to solve the lightwell issues. They are concerned about losing the light coming into their home. He is requesting that this agreement be kept intact and there be a NSR.

#### (-) Susan Fung

- She is Mr. Fong's cousin.
- The lightwell is now closed off and the upper part of that lightwell is closed off. She would like to have the lightwell stay intact.

#### D. REGULAR CALENDAR

# 18. 2001.1059<u>R</u>

(RODGERS: 558-6395)

1-6 MEACHAM PLACE - Meacham Place is a narrow, dead-end alley between Hyde and Larkin in Assessor's Block 302, access is from Post Street. The project is a consideration of a proposal to install an iron swing gate at the entrance of Meacham Place. The project would also involve the installation of planter boxes along the sidewalks and back wall of the alley.

Preliminary Recommendation: Find that proposal is not in conformity with the General Plan.

#### SPEAKER(S):

#### (+) Denise Rosser

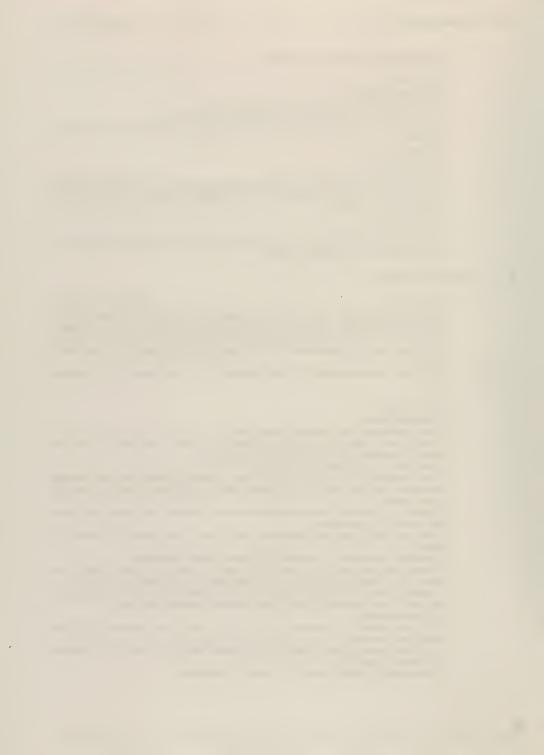
- This proposal has been around for many years.
- The purpose of the gate is not for private use; it is for safety. The street is a dead-end street and there has been a lot of illegal activity going on.
- They just want a gate to ensure their safety.
- Every building on the street has installed exterior lighting; the neighbors clean the street themselves, and have put gates on windows. They have tried every measure to have the street be safer.
- There is no reason for a service vehicle to get into the street. The parked cars that are there block their home access.
- She would like to have the Commission really look at the proposal and approve the project.

#### (+) Captain Kevin Dillon - Commanding Office - Police Department

- Despite their best efforts they have been unable to control the illegal activity on the street. Unfortunately, their proximity to the Tenderloin makes it difficult to control.
- Although there are other issues regarding the Fire Department, which he can't provide comment on, he feels that their only answer for safety it gating off the street.

# (+) David Overdorf

- When they asked for maintenance of the street or paving, the City mentioned that the service vehicles would not be able to get in or out of the street.
- Now that they want a gate installed, the City decides that it cannot approve this because it's a street for public use.
- The neighbors have tried everything to make this street safe.



- The City said that the neighbors are responsible for paving it. Everyone is happy to do so but why are they responsible for this but can't put a gate up because they are tired of the illegal activity?
- This problem is quite severe. He displayed pictures of how some cars park on the sidewalk and block their gates and doors. They have called police to have these cars towed yet during the late hours the police have limited staff.

#### (+) Eric Rosser

- He lives on this street with his family. He was born and raised in San Francisco.
- There has been a deterioration of the standard of living for many people.
- The area has an incredible amount of illegal activity going on which has become intolerable.
- They would like the Commission to make a decision that would improve the City.
- It is a very dangerous place for him and his family to live.

#### (+) Richard Mayer

- He supports the installation of the gate.
- One of his employees was assaulted and robbed on this alley. They have established a policy that their employees not walk the alley by themselves.
- His concern is that a car could hurt an individual, who cannot be seen.
- There is a very large, high-pressure gas line for his company and there have been a lot of individuals starting bonfires on the street.

ACTION: Found that the proposal is not in conformity with the General Plan.

The proposal to gate the alley was disapproved.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

RESOLUTION: 16124

#### 19. 2000.1255C

(B.WASHINGTON: 558-6263)

678 PORTOLA DRIVE - between Sidney Way and Woodside Avenue; Lot 004 in Assessor's Block 2892. Request for Conditional-Use Authorization pursuant to Section 209.6(b) of the Planning Code to install a total of nine antennas and a base transceiver station on an existing church building as part of Nextel's wireless telecommunications network in an RH-1 (D)(Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions

#### SPEAKER(s)

#### (+) Molly Gills - Nextel Communications

- This site is needed to fill in the coverage gap when Nextel removes antenna from Sutro Tower.
- The equipment will not be visible.
- The equipment will not cause interruption to televisions, cordless phones, etc.
- There were community meetings at the church and 7 people attended.
- A public notice was sent to neighbors regarding this meeting.

#### (+) Alicia Duke

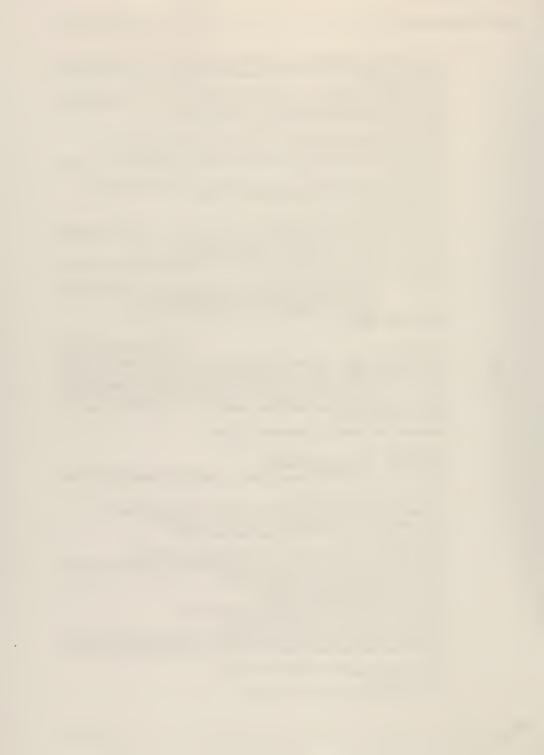
- The Nextel project happens to be in use and hopefully will be used soon.
- The manager of the San Francisco branch has tried every type of possible phone there is and Nextel has proven to have a "no dead" zone.
- She hopes that this project will be approved.
- This would benefit the elderly and disabled.

# (-) Elizabeth Mettling - Miraloma Park Improvement Club

- The church has a nursery school in the basement.
- This type of equipment is not allowed on schools so why is it allowed on this building?
- Tower Market has equipment so she doesn't understand why this is considered a "dead zone."
- The equipment should not be allowed near children.

# (-) Olie Kauffman

- His house is across the street from the church.



- It's a single-family residence; if Nextel would come to his house, would the Commission allow that to happen (install their antenna on it)?
- There is still scientific research that this type of equipment is hazardous to health.
- He never received any calls or any documents regarding this meeting. He found out about it through neighbors.

ACTION No. 1: There was a motion for the project to be continued. It failed to move forward because it did not receive a second.

ACTION No. 2: Approved as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Theoharis

NAYES: Salinas MOTION: 16125

#### 20a. 2000.868CV

(NIKITAS: 558-6306)

1452 BUSH STREET - north side through to Austin Street between Polk Street and Van Ness Avenue, Lot 008 in Assessor's Block 0667. Request for Conditional-Use Authorization under Planning Code Section 253 to permit construction of a building greater than 40 feet in height in the Van Ness Special-Use District. The project is in an RC-4 District (Residential-Commercial High Density) and the Van Ness Special Use District and in a 130-V Height and Bulk District. The proposal is to demolish a vacant auto repair facility and construct a nine-story, 85-foot-high building comprising 22 dwelling units, about 1,250 square feet of ground-floor commercial space, and 22 parking spaces. Preliminary Recommendation: Approval with conditions

#### SPEAKER(S):

#### (+) Jim Rubin - Rubin and Alter

- The planner was very thorough in his report so there is not much he can add.
- There is no opposition to this project.

# (+) Toby Levy - Architect

- Displayed a rendering of the project.
- She designed a building with a "commercial" style but at the same time classical.
- She developed a very heavy cornice line.
- They tried to save the facade but it would eliminate a floor of units.

ACTION: Approved with the following condition: sponsor will continue to

work with Department staff to improve the design.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16126

#### 20b. 2000.868CV

(NIKITAS: 558-6306)

1452 BUSH STREET - north side through to Austin Street between Polk Street and Van Ness Avenue, Lot 008 in Assessor's Block 0667. Request for a Variance under Planning Code Sections 242(c) and 307(g) to allow modification of the rear yard requirement of Section 134. A central courtyard is proposed in lieu of a rear yard. The project is in an RC-4 District (Residential-Commercial High Density) and the Van Ness Special-Use District and in a 130-V Height and Bulk District. The proposal is to demolish a vacant auto repair facility and construct a nine-story, 85-foot-high building comprising 22 dwelling units, about 1,250 square feet of ground-floor commercial space and 22 parking spaces.

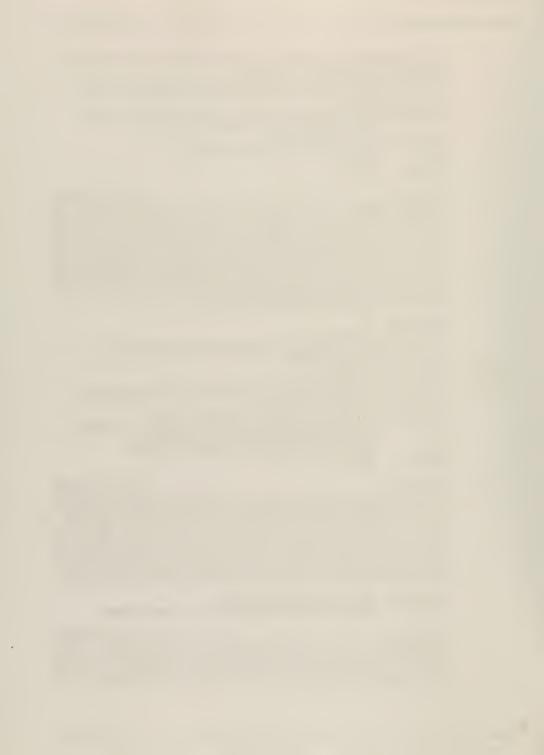
SPEAKER(S): Same as those listed for item 20a.

ACTION: Zoning Administrator closed the Public the public hearing.

#### 21. 2001.0043C

(LIGHT: 558-6254)

<u>222 2 ND STREET</u> - west side at southwest corner of Howard Street, Lot 63 in Assessor's Block 3735. Request for a temporary two-year Conditional-Use Authorization for a public commercial surface parking lot in a C-3-O (SD) District and a 150-350-S Height and Bulk District. Proposal is to build a 70-space public commercial surface parking lot on the



subject vacant site. The Conditional-Use Authorization would be valid for two years only as an interim use.

Preliminary Recommendation: Approval with Conditions

# SPEAKER(S):

- (+) Jim Rubin Rubin and Alter representing Priority Parking, the project sponsor
- There is not much to say about paving over an empty lot and there is no building to talk about.
- He displayed an illustration of the parking that is being lost in the Rincon Hill area. There will be an excess of 3,000 spaces lost with the Cal Trans retrofit.

ACTION: Approved with conditions as proposed

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION: 16127

#### E. SPECIAL OFFICE DEVELOPMENT ANNUAL LIMIT HEARING

At approximately **3:15 p.m.** the Planning Commission convened into a Special Office Development Annual Limit Hearing to hear and act on the large office projects being considered under Planning Code Sections 320-325 during the 2000-2001-approval period.

#### 22a. 1998.281BC

(GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing; Lot 5 in Assessor's Block 3803. Request under Planning Code Section 321 for authorization to deduct up to 120,000 square feet of office space from the City's office development annual limit. The property is within a M-2 (Heavy Industrial) District, the Mixed-Use Area of the IPZ (Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District and a 90-X Height and Bulk District. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square footage of office space per Planning Code Sections 313.4 and 314.4. Please note: Under Case No. 98.281V, an off-street parking variance for the proposed project was heard before the Zoning Administrator on August 23, 2000. This variance decision is currently pending before the Zoning Administrator. In addition, a rear yard variance, per Planning Code Section 134, for the proposed dwelling units at this site will be heard before the Zoning Administrator on March 28, 2001, under Case No. 2001.0179V.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of March 8, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

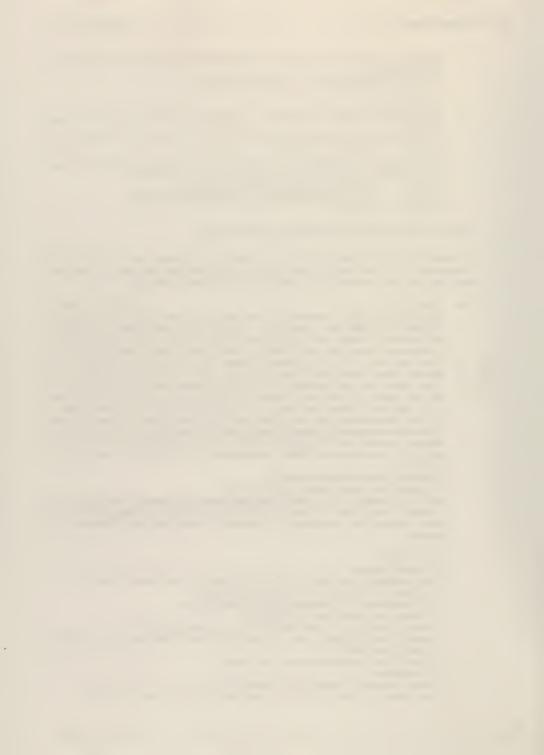
#### SPEAKER(S):

#### (+) David Cincotta

- He is representing the project sponsor McCarthy and Cook and Payne Webber.
- The project will be reduced to 49,500 sf and 130 units.
- The commitment to the community would remain the same.
- At the last hearing there was no opposition.
- Voluntary contributions to open space and art would remain the same.
- Although they don't have to have a requirement for the childcare fees, they will keep the requirement and contribute.
- The funds are there to move this project forward.

#### (-) Sue Hestor

- She is protesting the hearing on 801 Market Street.
- She received information and a set of plans today and has not had time to review.



- She did not find any information on the revisions of 801 Market at the Planning Department.
- Although the project has kept the same envelope, it states that it has been revised.
- This project is not ready under the Public Records law. This case needs a continuance as an office building.

# (+) Timothy Tosta - Pacific Resources

- The document, which Ms. Hestor complains about, was delivered to the Planning staff on Tuesday.
- Very little has changed with respect to the project.

ACTION No. 1: Intent to Approve as revised and continued

AYES: Baltimore, Fay, Joe

NAYES: Chinchilla, Salinas, Theoharis

ACTION No. 2: Continue both projects to April 19, 2001. Staff will issue a new

notice for 185 Berry to reflect the revised project.

AYES: Baltimore, Chinchilla, Salinas, Theoharis

NAYES: Fav. Joe

22b. 1998.281BC

(GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing; Lot 5 in Assessor's Block 3803. Request per Planning Code Section 215 for Conditional-Use Authorization to allow 62 units of housing (totaling approximately 73,600 square feet of residential space) in a M-2 (Heavy Industrial) District at the above-referenced address. Approximately six units (or 10%) of this housing are proposed to be dedicated as affordable. The property is within a M-2 (Heavy Industrial) District, the Mixed-Use Area of the IPZ (Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District and a 90-X Height and Bulk District. Please note: Under Case No. 98.281V, an off-street parking variance for the proposed project was heard before the Zoning Administrator on August 23, 2000. This variance decision is currently pending before the Zoning Administrator. In addition, a rear yard variance, per Planning Code Section 134, for the proposed dwelling units at this site will be heard before the Zoning Administrator on March 28, 2001, under Case No. 2001.0179V.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 8, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

SPEAKER(S): See item 22a. ACTION: See item 22a.

23a. 2000.277BXC

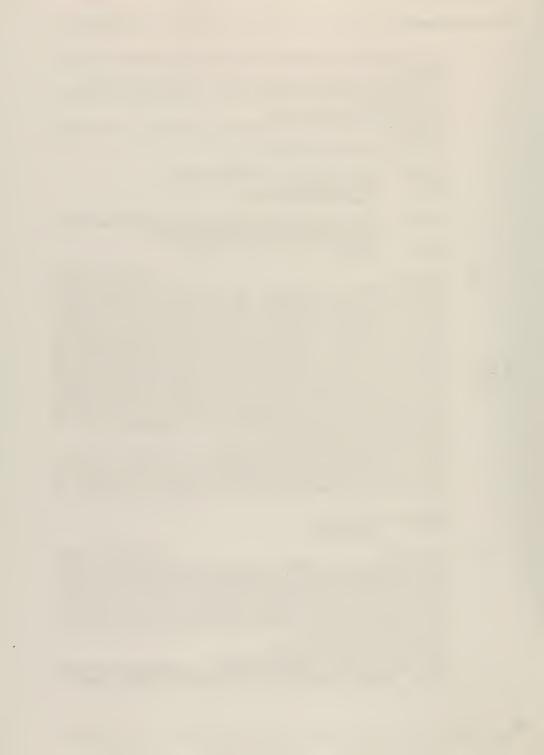
(CRAWFORD: 558-6358)

801 MARKET/22 FOURTH STREETS - north side of Jessie Street between Fourth and Fifth Streets; Assessor's Block 3705; Lot 048. Planning Code Sections 320-325 (Office Development Limitation Program) for allocation of up to 136,600 gross square feet of office space for a 12-story building within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 8, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The



item continues to be subject to Commission consideration, deliberation and action.

SPEAKER(S): See item 22a. ACTION: See item 22a.

23b. 2000.277BXC

(CRAWFORD: 558-6358)

801 MARKET/22 FOURTH STREETS - north side of Jessie Street between Fourth and Fifth Streets; Assessor's Block 3705; Lot 048. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance, for construction of a 12-story building including 136,600 gross square feet of office space. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets. Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 8, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

SPEAKER(S): See item 22a. ACTION: See item 22a.

23c. 2000.277BXC

(CRAWFORD: 558-6358)

801 MARKET/22 FOURTH STREETS - north side of Jessie Street between Fourth and Fifth Streets; Assessor's Block 3705 Lot 048. Request under Planning Code Section 219.c for professional or business offices not offering on-site service to the public in a C-3-R (Downtown, Retail) District. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 8, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

SPEAKER(S): See item 22a. ACTION: See item 22a.

# 4:30 p.m.

24.

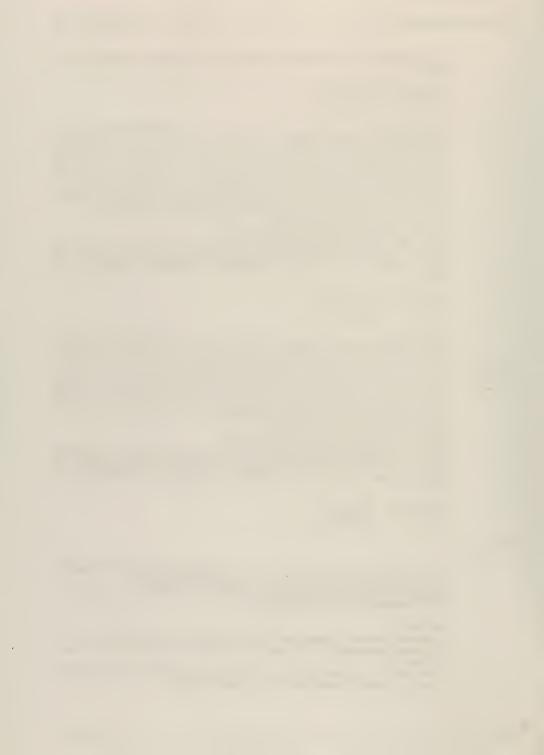
(GREEN/ARCE: 558-64411/558-6332)

NEIGHBORHOOD PRESENTATION OF PROPOSED COW HOLLOW
NEIGHBORHOOD DESIGN GUIDELINES – Presentation and discussion of proposed
Cow Hollow Neighborhood Design Guidelines.

SPEAKER(S):

(+) Brooke Sampson – Neighborhood Design Guidelines Committee Chair She provided an introduction and outline of the neighborhood presentation that included the following:

- The goals are to present proposed Cow Hollow Neighborhood Design Guidelines (CHNDG) to the San Francisco Planning Commission and Staff.



- To secure acceptance of the CHNDG by the Planning Commission as "Interim Design and Planning Guidelines" and as being reflective of neighborhood character as defined by the Cow Hollow Association.
- To have the Planning Commission instruct Planning Department staff to review development projects in the Cow Hollow neighborhood against the recommendations and policies of the CHNDG, and when appropriate, to insure preservation of neighborhood character through the use of the Planning Commission's discretionary authority (DR).
- Fairness and balance in preserving neighborhood character and property rights by applying the concept of equalization.

The items that will be covered are as follows:

- Background and history of CHNDG preparation and level of neighborhood involvement
- Understanding the process for adoption of Neighborhood Character Districts
- Presentation of the Cow Hollow Neighborhood Design Guidelines
- Brief comment by neighborhood representatives
- Respond to Commission Questions

# (+) Lou Blazej

- Zoning districts in the Cow Hollow Neighborhood (CHN) include: RH-1 (D); RH-1 and RH-2; RM-1, 2 and 3.
- Neighborhood character involves architectural mass, scale, rhythm design and environmental characteristics.
- Research confirms that the neighborhood character is based primarily on building scale and lot coverage.
- Analysis of the CHN rear yard open space is very important to the neighborhood character.
- Recommended Policies: Specific policies included in the CHNDG: rear yards (45% rear yard open space); equalization (rear yard policy: equalization to the more complying neighbor where adjacent neighbors exceed standard); height (height policy: uniform height policy. The height policies for Cow Hollow are based on the following lot slope configurations: level, steep up-sloping lots, steep down-sloping lots)
- Other Elements of the Design Guidelines: Texture and Detailing (exterior materials/ ornamentation); Openings (entryways and windows); Landscaping (pruning trees; tree selection and placement for views).
- The current zoning regulations will not protect Cow Hollow character and environmental quality. Unless something is done, the quality of life in Cow Hollow will continue to erode.
- Needed actions: adoption of the Design Guidelines and zoning changes.

#### (+) Sidney Unobskey

- He thanked all of the people who were at the hearing from Cow Hollow to support the design guidelines and asked the Commission to support them.

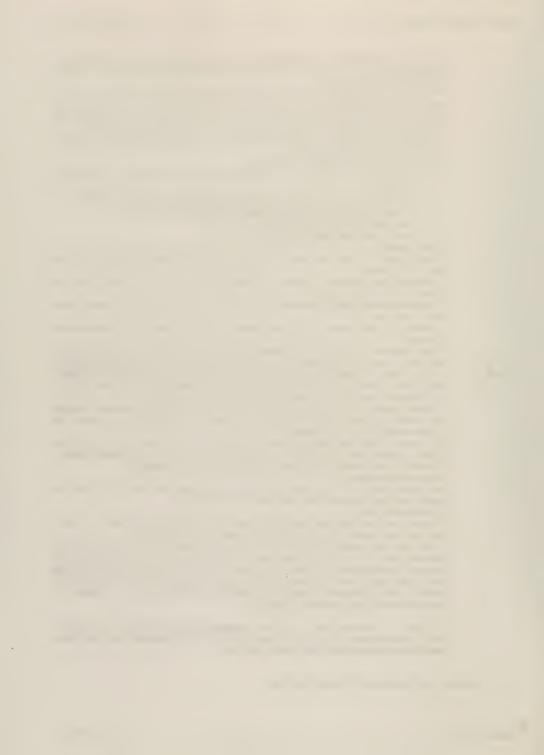
#### (+) Brook Simpson

- Finally, the CHN would like the Commission and staff to further review the CHNDG document and consider the CHN request for acceptance of the CHNDG.
- Have this matter calendared within the next three to four weeks for a public hearing and potential action by the Planning Commission. The action would accept the CHNDG as reflecting neighborhood character as defined by the CHN, and instruct Planning Department staff to reference these guidelines in reviewing projects, for projects that are subject to the Commission's discretionary authority, and otherwise as appropriate, to insure preservation of neighborhood character.

ACTION: Meeting held. No action required by the Commission. However, staff is to report back in a couple of weeks with a status report on adopting design guidelines and addressing the zoning changes.

#### F. SPECIAL DISCRETIONARY REVIEW HEARING

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At Approximately **5:55 p.m.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing.

#### 25. 2000.1078D

(SIDER: 558-6897)

531 KANSAS STREET - east side between Mariposa and 18<sup>th</sup> Streets, Lot 008J in Assessor's Block 4009. Request for Discretionary Review of Building Permit Application Number 2000/08/14/7852. The proposal is to (1) add a third story, (2) construct a horizontal expansion of the existing first and second levels, and (3) enlarge the rear deck of a single-family dwelling. The site is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of February 22, 2001)

#### SPEAKER(S):

#### (-) Frank (last name unclear)

- He is representing Lina Fernando.
- The proposed addition is not in conformance with the residential design guidelines.
- He displayed some photographs and an enlarged list of the homes built by John Kambie.
- The concern is that all of the homes, which are adjacent, have similar rooflines. If any of these homeowners decide to build an expansion the character of the neighborhood would change.
- There are various neighbors who are against this project.
- Read a letter from a neighbor who is against the project.
- The project topography will change also.

#### (-) James Freeman

- He lives three houses down from the proposed project. He has lived in San Francisco for many years.
- If he could afford it, he would move, but he can't.
- Does not want every other house on the street to have an addition like this. It would destroy the look of the neighborhood.
- Many homes have had its views blocked by a project on Mariposa Street.

# (-) Arthur Garassi

- He lives across the street.
- He is against the addition.
- Other neighbors mentioned to him to state that they are not in agreement either.

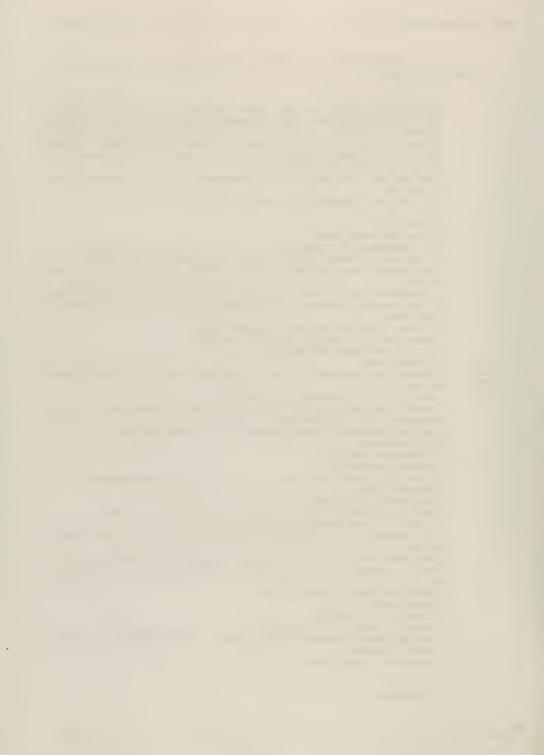
#### (-) Victoria Gomez

- She lives on Kansas Street.
- Her house is a family home since their family has owned it since it was built.
- The homes have an architectural consistency on Potrero Hill.
- The character and the beauty of the neighborhood would change if this project is approved.
- Why would someone who has a large family purchase a 2 bedroom home?
- How can a family who is new to their neighborhood dictate what they should accept or not.
- Please don't allow this proposal to pass.

#### (-) Don Canvey

- He was born on Potrero Hill.
- His dad built the homes on Kansas Street.
- Showed pictures of the homes on Kansas Street. The street is one of the most unique streets on Potrero Hill.
- The rooflines of these homes are very uniform.

# (-) Joe Boston



- He lives on Potrero Hill.
- He understands property rights and the need in the City for homes to be enlarged due to growing families, but in this particular case there is a very uniform architectural character to the street.
- The neighborhood will be affected by Macromedia's project.
- -There are other more appropriate ways to increase housing.

#### (-) Linda Vida

- Her mother lives in the neighborhood that is opposed to the project.
- The project would tower over the homes adjacent to it.
- The project would change the character of the neighborhood.
- The buildings across the street are fairly new and were built to be 4-story houses.
- The planner stated that the neighborhood had no opinion, yet there were meetings with the owner and they stated their concerns.

# (+) William Walters - Project Architect

- His office is on Potrero Hill and he has worked there for 15 years.
- He has had to be the middle person.
- He took into account the issues of both sides.
- There is a character to the homes on this street yet there are families who are growing and require more space.
- They did plan to alter the interior to make the home more livable.
- The current bedrooms are quite small.
- He believes that the project is fine as it's designed.
- ACTION No. 1: Take Discretionary Review and deny 3<sup>rd</sup> story but allow horizontal addition.

AYES: Joe, Theoharis

NAYES: Baltimore, Chinchilla, Fay, Salinas

ACTION No. 2: Do not take DR and approve project as proposed

AYES: Baltimore, Chinchilla, Fay, Salinas

NAYES: Joe. Theoharis

# 26. 2000.657DDD

(MEHRA: 558-6257)

<u>2531-33 BAKER STREET</u> - west side between Vallejo and Green Streets, Lot 004 in Assessor's Block 0956. Requests for Discretionary Review of Building Permit Application No. 2000/01/28/559 proposing to alter the existing building containing two dwelling units by adding a horizontal extension towards the front of the lot, and by merging the two dwelling units into one in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.

Preliminary recommendation: Do not take Discretionary Review and approve the application as revised.

#### SPEAKER(S):

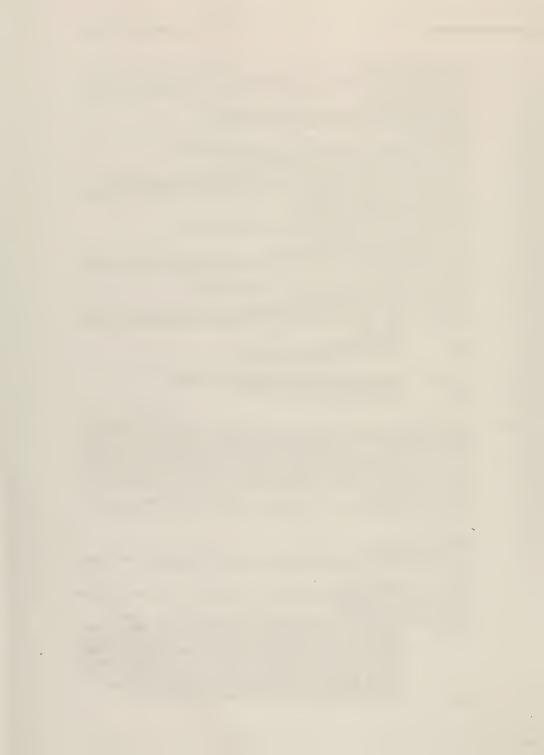
## (+) Tamara Fruchtman

- She doesn't believe that this project is taking a unit off the market because the unit was vacant.
- The home is in need of repair.
- Making these improvements will make the home more in conformity with the neighborhood design guidelines.
- She has spoken with various neighborhood groups and they approve the project.

ACTION: Continued to April 5, 2001. Staff is to provide the following information: 1) date the building was built; 2) what was the original use; 3) what do the plans look like now that the neighbors have signed off; 4) what is the current condition of the building; 5) what are the practical implications of approving an expansion of a building envelope to make it a conforming, noncomplying use.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

Minutes



#### G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

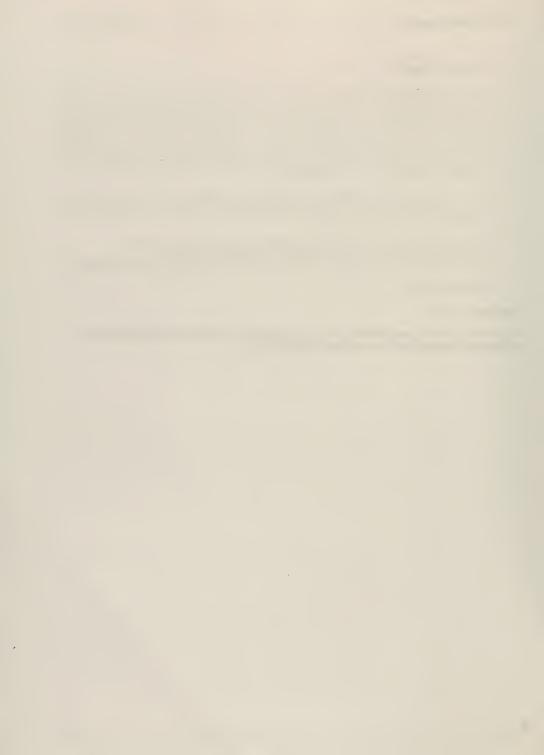
- (1) Responding to statements made or questions posed by members of the public; or
- (2) Requesting staff to report back on a matter at a subsequent meeting; or
- (3) Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: None

Adjournment: 6:50 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 5, 2001.

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# SAN FRANCISCO PLANNING COMMISSION

# Minutes of Meeting &

# Calendar

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett PlaceOCUMENTS DEPT.
Thursday, April 5, 2001

1:30 PM

**Regular Meeting** 

JUN 2 0 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Theoharis: Baltimore: Chinchilla: Joe, Salinas

(Proposed for continuance to April 12, 2001)

ABSENT: Fay

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:40 PM

STAFF IN ATTENDANCE: Gerald G. Green – Director of Planning; Larry Badiner – Zoning Administrator; David Alumbaugh; Jasper Rubin; Kelly LeBlanc; Alison Borden; Jonathan Lau; Tim Blomgren; Jonathan Purvis; Adam Light; Ricardo Bressanutti; Tim Woloshyn; Sailesh Mehra; Frank Jones; Paul Lord; Patricia Gerber – Transcription Secretary; Linda D. Avery – Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1. 2001.006DD (DiBARTOLO: 558-6291)
835 LOMBARD STREET - south side of the street between Taylor and Jones Streets, Lot
020 in Assessor's Block 0073. Request for Discretionary Review of Building Permit
Application No. 2000/07/13/5089S. The subject property contains one structure, a portion
of which extends into the required rear yard. The proposal consists of two components;
(1) to construct a new 425-square-foot rear addition on the fourth floor, within the
permitted build able area, and (2) to remove the gable roof, creating a flat roof and deck
atop the noncomplying structure at the rear of the subject property. The height of the roof
with proposed deck will be reduced from 20'-4" to 18'. The site is in an RM-1 (Residential,
Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the
building permit application with modifications as submitted.
(Continued from Regular Meeting of February 22, 2001)

ACTION:

Continued as proposed

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

2. 2000,1165B

(BRESSANUTTI: 558-6892)

<u>2 HENRY ADAMS STREET</u> - west side, between Division Street and Alameda Street; Lot 1 in Assessor's Block 3910. Request under Planning Code Sections 320-322 for project authorization of an office development consisting of the conversion of up to 49,900 square feet in an existing building (San Francisco Design Center) from wholesale design showroom space to office space. This notice shall also set forth an initial determination of the net addition of gross square feet of office space, pursuant to Planning Code Section 313.4. The subject property is located in an M-2 (Heavy Industrial) District and the Industrial Protection Zone, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of March 22, 2001)
(Proposed for continuance to April 19, 2001)

ACTION:

Continued as corrected

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fav

3a. 2000.863BV

(WONG: 558-6381)

<u>2712 MISSION STREET</u> - west side, between 23rd and 24th Streets, lot 003 in Assessor's Block 3643. The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831-gross-square-foot building into a 30,847 gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Disapproval

(Continued from Regular Meeting of February 22, 2001)

(Proposed for continuance to April 19, 2001)

ACTION:

Continued as proposed

AYES: ABSENT: Theoharis, Baltimore, Chinchilla, Joe, Salinas

Fay

3b. 2000.863BV

(WONG: 558-6381)

<u>2712 MISSION STREET</u> - west side, betw een 23rd and 24th Streets, lot 003 in Assessor's Block 3643. The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate Scale Commercial District) Zoning District and a 50-X/80-B Height and Bulk District.

(Continued from Regular Meeting of February 22, 2001)

(Proposed for continuance to April 19, 2001)

ACTION:

Continued as proposed

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

4a. 2000.190BX

(LeBLANC: 558-6351)

201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Sections 320-325 for authorization to deduct up to 44,500 square feet of office space from the City's Office Development Annual Limit. The proposal is for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meetings of February 8, 2001 and March 8, 2001; and Renoticed for March 15, 2001, because of change in project description. Project added 2 stories and 9,500 square feet of office space by request of applicant.)

(Proposed for continuance to April 26, 2001

ACTION: Continued as proposed

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fav

2000.190BX 4b.

> 201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the setback requirements of Section 132.1 of the Code for the construction of a 12-story, 160-foot-tall

(LeBLANC: 558-6351)

building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of February 8, 2001, and March 8, 2001, and Renoticed for March 15, 2001, because of change in project description. Project added 2 stories and 9,500 square feet of office space by request of applicant.)

(Proposed for continuance to April 26, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fav

5. 2000.1310C (DiBARTOLO: 558-6291)

1268 GRANT AVENUE - southeast corner of Grant Avenue and Vallejo Street; Lot 044 in Assessor's Block 145. Request for Conditional-Use Authorization to allow amplified live and recorded music (defined as "Other Entertainment" by Planning Code Section 790.38) in an existing full-service restaurant and bar, d.b.a. Basta Pasta, as required by Planning Code Section 722.48, in the North Beach Neighborhood Commercial Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for continuance to April 26, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

2000.765E 6.

(PULON: 558-5978)

67-69 TURK STREET - Appeal of Preliminary Negative Declaration: The proposed project would construct a mixed-use building on the southeast corner of Turk and Taylor Streets. The proposed building would be approximately 96,984 gross square feet (gsf), accommodating: 12,432 gsf of mechanical and maintenance space in the basement floor; 7,207 gsf of retail on the ground floor; 40,484 gsf of parking on floors 2-4; and 36,861 gsf of office on floors 5-7. The tenant parking garage would provide 76 parking spaces, without any loading spaces. The building would be 106 feet tall. Vehicular site access to the proposed parking garage would be from Taylor Street. Pedestrian street level site access to the retail and office spaces would be from Turk Street. The existing 84 parking spaces on a surface- and basement-level garage would be demolished. The project site, approximately 12,940 sq. ft, is on Assessor's Block 0342 and Lot 011, in a C-3-G Zoning District and a 120-X Height and Bulk District.

Preliminary Recommendation: Uphold Negative Declaration.

(Proposed continuance to April 26, 2001)

ACTION:

Continued as proposed

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT:

7. 2001.0141D

(CABREROS: 558-6169)

1041 LAKE STREET - between 11th and 12th Avenues, Lot 043 in Assessor's Block 1371. Request for Discretionary Review of Building Permit Application No. 2000/09/07/9909, proposing to construct two additional floors and rear deck onto an existing one-story over garage single family dwelling. The proposed addition occurs within the permitted building envelope in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the project. (Proposed for continuance to May 17, 2001)

ACTION:

Continued as proposed

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fa

8. 2001.0102C

(WOLOSHYN: 558: 6612)

<u>2238 GEARY BOULEVARD</u> - north side between Broderick and Divisadero Streets; Lot 025 in Assessor's Block 1079 within the existing Kaiser Medical Office Building. Request for Conditional-Use Authorization under Planning Code Section 712.43 to operate a Large Fast Food Restaurant on the first floor of the existing Kaiser office building, located within an NC-3 District (Neighborhood Commercial Moderate Scale) and The Geary Boulevard/Divisadero Street Special-Use District.

WITHDRAWN

### B. COMMISSIONERS' QUESTIONS AND MATTERS

9. Consideration of Adoption - draft minutes of March 22, 2001.

ACTION:

Approved

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: F:

10. Commission Matters

Baltimore:

Requested staff to schedule a presentation on present process on

expediting housing that will come on line.

Theoharis:

Asked Commission secretary to prepare a letter to the Housing and

Land Use Committee regarding their meetings time conflict with

Planning Commission meetings

#### C. DIRECTOR'S REPORT

- Director's Announcements
  - 366-368 South Van Ness Avenue requested to be move to the beginning of the calendar
  - Housing Land Use Transportation Committee respond to two request from Sup. McGoldrick on April 12, 2001
    - 1) Communicate the status of Residential Element of the General Plan
    - 2) Participating in a discussion about a community planning effort
  - Doggie Dinner Head City will be responsible for the repair/restoring
- 12. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
  - 222 El Camino del Mar Discretionary Review before Commission on 1995, action was to take discretionary review and this project ultimately was not built.
  - 69 DeHaro Street Discretionary Review- Upheld Commission decision by +3 –1.
- 13. (GREEN/ARCE: 558-64411/558-6332)

  <u>COW HOLLOW NEIGHBORHOOD DESIGN GUIDELINES</u> Director will give a status report.

SPEAKER(S): None

14. (ALUMBAUGH: 558-6601)

BETTER NEIGHBORHOODS 2002 – Informational presentation regarding Central Waterfront Neighborhood Plan.

SPEAKER(S): None

#### D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

15a. 1999.603BX (LeBLANC: 558-6351)

555 MISSION STREET - south side of Mission Street between First and Second Streets, with a secondary frontage on Minna Street, Lots 69, 70, 78, 79, 80 and 81 in Assessor's Block 3721. Request under Planning Code Section 309 (Downtown Project) for Determinations of Compliance and Request for Exceptions, including an exception to the Separation of Towers requirement (Section 132.1(c)), exceptions to the Bulk requirements (Sections 270(d)(2), 270(d)(3)(A), and 270(d)(3)(B)), and an exception to the Reduction of Ground Level Wind Currents requirement (Section 148) for the demolition of six vacant buildings and the construction of a 31-story, approximately 455-foot-tall office tower containing up to 557,000 gross square feet of office space, approximately 8,000 square feet of ground floor retail space, 11,140 square feet of public open space and 150 parking spaces. The project lies within a C-3-O (Downtown, Office) District and within 500-S and 550-S Height and Bulk Districts.

Preliminary Recommendation: Approval with Conditions

(Continued from March 8, 2001 Regular Meeting)

Note: On March 8, 2001, following public testimony, the Commission closed the public hearing and passed a Motion of Intent to approve the project with 499,000 gross square feet of office space, and requested staff to prepare draft Motions for the Commission's consideration on April 5, 2001.

SPEAKER(S): None

ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay MOTION NO.: 16129

15b. 1999.603<u>B</u>X (LeBLANC: 558-6351)

555 MISSION STREET - south side of Mission Street between First and Second Streets, with a secondary frontage on Minna Street, Lots 69, 70, 78, 79, 80 and 81 in Assessor's Block 3721. Request under Planning Code Sections 320-325 for authorization to deduct up to 557,000 square feet of office space from the City's office development annual limit. The proposal is for the demolition of six vacant buildings and the construction of a 31-story, approximately 455-foot tall office tower containing up to 557,000 gross square feet of office space as well as ground floor retail space, public open space and parking and loading spaces. The project lies within a C-3-O (Downtown, Office) District and within 500-S and 550-S Height and Bulk Districts.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of March 8, 2001)

Note: On March 8, 2001, following public testimony, the Commission closed the public hearing and passed a Motion of Intent to approve the project with 499,000 gross square feet of office space, and requested staff to prepare draft Motions for the Commission's consideration on April 5, 2001.

SPEAKER(S): None ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay MOTION NO.: 16129

#### E. REGULAR CALENDAR

16. (BORDEN: 558-5979)

Smith-Kettlewell Eye Research Institute Abbreviated Institutional Master Plan - 2318 Fillmore Street, Assessor's Block 612, Lot 19, 2209 Webster Street, Assessor's Block 612, Lot 7, 2232 Webster Street, Assessor's Block 613, Lot 15, 2244 Webster Street, Assessor's Block 613, Lot 16, 2250-52 Webster Street, Assessor's Block 613, Lot 15, 2244 Webster Street, Assessor's Block 613, Lot 16, 2250-52 Webster Street, Assessor's Block 613, Lot 17, 2389 Washington Street, Assessor's Block 613, Lot 18 and 2472 Clay Street, Assessor's Block 612, Lot 17. The Planning Department received an Abbreviated Institutional Master Plan (Abbreviated IMP) for the Smith-Kettlewell Eye Institute on January 5, 2001. Per the requirements of Planning Code Section 304.5(d), this filling is being reported to the members of the Planning Commission. The Commission may decide either to hold or not hold a public hearing on the plan at a later date. A hearing would be for the receipt of public testimony only and subject to the same notice requirements as a conditional use, as set forth in Planning Code Section 306.3. Please note that the Smith-Kettlewell Eye Institute submitted this document to the Zoning Administrator as part of an ongoing enforcement action involving some of their properties in the Webster Street Historic District.

#### SPEAKER(S):

#### (+) Steve Nicholson

- Like many San Franciscan recognize the importance of our historical resources in creating the City unique image and world image

 Last year in the annual meeting of the National Trust for Historic Preservation was a little dishearting hear some of the speakers mentioned the City of San Francisco as a example of a city that failed to effectively protect its historic resources

- The Webster Street Historical District is one of the few effort for preservation that we had made, and without the public participation, particularly in the form of the Friends of Webster Street Historical District.
- Smith Kettlewell failured to comply with the requirements of that historic district, it would have gone unnoticed to the Department and unknown to this Commission
- On the institution past behavior, it is only reasonable to expect that the neighborhood and the public at large, would be skeptical of their future behaviors
- Urge Commission to schedule a public hearing, so the Smith Kettlewell master plan can be heard, evaluated for appropriateness and determined that are true and effective means for enforcement that would be put in place.
- People who brought this issue to your attention, needs to participate in the process

#### (-)lan Berke

- 35 years ago Kettelwell was giving permission to build an enormous out scale ugly concrete building on a handsome residential block
- One of the conditions was not to expand in further north from this building
- No content with these institutions began to buy five more Victorian houses, all in the City's first designated historic district.
- The neighborhood curious, why these houses were deteriorating, discovered that these houses were using for offices and housing
- Neighbors organized and petitioned the Planning Department, who ordered this institution to stop this usage and submit an abbreviated master plan
- Master Plan is very abbreviated; it is conspicuous for what it does not say.
- This is organization that has a long history or arrogance and duplicity
- If you think his characterization of them as arrogant is exaggerated, consider that the
  appealing the Planning Department requirements that seize the illegal use of one this
  building, it is at the Board of Appeals right now.
- This organization has a huge impact in the surrounding neighborhood and literally affect hundreds of people
- Urge Commission to schedule a public hearing

# (-) Ruth Poole, Chief Operating Officer at Smith Kettlewell Institute

- Sad that the neighborhood feel the way that they do
- We have tried to have a good harmony with neighborhood and hid anything from the neighborhood or the Planning Commission
- Renovated the building on Webster Street
- No intention of these buildings been thom down
- We have done everything that has been possible
- Urge the Commission to approve their master plan

# (-) Donald Langley

- Since them abbreviate the General Plan is not a plan at all, does not show clue to the institute future, its development, its use of existing houses or its intention regarding other houses in the area
- A full must held to learn what this institute is going to do
- They had fixed the houses after pressure from the neighbors
- There is a notice of violation regarding meeting at Board of Permit Appeals
- Notice was received a day before the deadline
- Suggest enforcing restrictions
- This a friendly neighborhoods
- All the houses have been converted into offices

# (-) Beverly McCallister

1996 when the Planning Commission allowed this institute to build this concrete research building, stated that shouldn't be not further north structural expansion or the in hospital related activities, because the fragile nature of the historic nature surrounded, They expanded north anyway.

- Violated the Planning Code
- This is a historic district

- Request a full hearing, due to neighbors no knowing how this institution planning to use this buildings
- (-) John Sanger, Sanger and Olson
- Speaking on behalf of the Institute
- Institute has done everything that had been required by the Zoning Administrator
- Institute would go by the Planning Code and the Building Code as a been interpreted by the Zoning Administrator
- The only reason anything is on appeal to the Board of Permit Appeals is because we can not determine what more is to be done with respect to outstanding notice of
- Despite the fact every building on Webster Street has been vacated and the institute master plan has committed that they would in the future be occupy for residential purposes in accordance with Planning Code is still an outstanding notice of violation

ZA indicated that would like to withdrawn the appeal, if someone is send to inspect to

determine that compliances have been achieved.

Allegations that have made regarding the institute to disrespect for the neighborhood are really outrageous, this like re-living the hearing that occurred before the Commission in 1961.

(-) John Barbey

We have difficulty of enforcement from the Planning Department and Landmarks

There is not budget for enforcement

This obviously illustrate the vulnerability of an historic district in San Francisco This institute has been very disingenuous

Offices are not residential uses

They have to re-establish the confidence of the public that they are going to be good neighbors

We should hold a full hearing

ACTION:

Full Hearing on 5/1/7/01

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fav

MOTION NO.: 16130

17. 2000.407Z (J. LAU: 558-6383)

INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT MAP AMENDMENT -Consideration of a draft resolution recommending amendments to the Zoning Map to reclassify thirty-five commercial parcels in the vicinity of Irving Street between 5th Avenue and 19th Avenue from current Small-Scale Neighborhood Commercial District (NC-2) to Inner Sunset Neighborhood Commercial District (NCD), and to reclassify one commercial parcel from current Inner Sunset NCD Zoning to NC-2.

Preliminary Recommendation: Approval

SPEAKER(S):

None

ACTION: AYES:

Approved

ABSENT:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

Fav

MOTION NO .:

16131

18. 1999.210E (BLOMGREN: 558-5979)

3620 - 19th STREET - within the block bound by 18th Street, Guerrero Street, 19th Street and Oakwood Street, Assessor's Block 3587, Lots 18, 68, and 70. Appeal of a Preliminary Negative Declaration. Proposed new construction of five two-, three-, and four-story buildings containing a total of 43 dwelling units. The site currently has a 32space parking lot, which is accessed by a gate on Oakwood and a facade of an industrial building at the 3620 19th Street frontage, which would be demolished. The new buildings would reach a maximum height of 40 feet in a 40-X height/bulk district. Lots 68 and 70 are located in a RH-2 (Residential House, Two-Family) zoning district. Lot 18 is located in a RH-3 (Residential House, Three-Family) zoning district.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of March 22, 2001)

#### SPEAKER(S):

# (+) John Barbey

- Many years a proposal half the size of this one was rejected
- In emergencies it will be a very difficult street to access
- Architect presented complete revised plans
- Very small cosmetics changes were made
- Concerned regarding safety
- Seismically this building has not been refurbish
- This will be very dangerous

# (-) Cynthia Arnold

- Lived in the are since 1988
- Sidewalk have been parking lots
- Sunday two inner lanes, are used as parking lot
- During Summer our neighborhood is bombarded with a lots traffic
- Building on Oakwood Street, will contain to her knowledge 8 two bedroom units.
   There are only 8 parking spaces available.
- Allow the same parking spaces as the same of apartments buildings
- Negative Declaration says that traffic is horrible
- It is disrespectful and insulting to the neighbors
- Support housing, but this project is not a good idea to our neighborhood
- Size of this building should be decrease

# (-) Nick Pasquariello

- Lived in the area since 1979
- Only the southern portion of it was able to build on this model, it shows what it is proposed to be build
- Formerly on this lot was a warehouse, it walls were 14 feet high, this warehouse was there for 70 years, and this whole neighborhood was built around it.
- There was no zoning during those years
- When this warehouse was put there, it was put there with the sense that there were livable units, in the west side of this building on Guerrero St.
- This proposed building will block the light coming into his apartment

#### (-) Ginny Pryor

- Lived right across from the proposed project
- Unbelievable that they will bring a 100 people to live in this neighborhood when is already overcrowded
- There won't be any green space available,
- Fire engine could no access this street

## (-) Richard Illig

- Urge to look the proportional and negative consequence that this project would have on his surroundings and vote against as it stand
- The consequences that this project would have in this residential are phenomenal
- Instead of two comparable house of single block 140 and 144 units we would have two very lot sided house 183 and 144 units
- We would a very limited open space
- Urge to vote against this project
- Developer should reduce the number of units to something truly in keeping with its urban context.

# (-) Adam Klein

- Hydro Geologist with 15 years of experience
- Former neighbor of the proposed project
- Deficiencies in the site mitigation plan

- Thank the Department of Public Health for scrutiny that they applied to this project, specially in consideration of the sensitive nature of this development
- Lacks a certain amount of specificity in particular with respect to the analysis that are proposed
- Previous analysis at the site did not include analysis for the most toxics components associated with petroleum hydro carbons which are the type of contaminants that have detected at the site
- The mitigation plan does not include provisions to monitor dust during construction, would recommend putting three mini ramp devices, these aerosol monitoring devices up around the perimeter of the site, to ensure that residents are not exposed to dust or potential hazards quimical at an unacceptable concentration
- The site mitigation plan indicate the soil sampling plan would be submitted, once the building design is complete, he believes, that this is inappropriate, the soil sampling should be incorporated as a part of the site mitigation plan
- Concerned about the mismanagement of the soil

# (-) Dallas Haynes

- Concerned about the mechanical exhaust and make up air ventilation fence and system, that will house on the top of the gateway building on 19<sup>th</sup> Street
- Fans of these nature produce a lots noise
- It is difficult to find an engineering solution
- Giving the system would be a carbonixide sensor it should be assume that can kick anytime during a 24 hours period
- Commission should require that noise level should be far below that maximum levels allow
- All materials, debris boxes, construction vehicles, should be kept of sidewalks, and have our weekends free of construction

#### (+) Michael Stanton, Architect

- Addressing specifically the issues that were raised during the appealing, the emergency access is been reviewed by the Fire Marshall and the Department is in received of a letter from him concurrent with the appropriateness emergency vehicle access
- Ventilation of the garage is under study, the information we has is that the carbonmonixed sensor will in fact will keep the fan off most of the time
- Model that the appellant shows here, has the bldg., On 19<sup>th</sup> Street on a location has no longer in, it had shifted 20 feet to the west to address the specific concern of light and air to the building on the back

ACTION: AYES: Upheld Preliminary Negative Declaration Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

**MOTION NO.:** 16132

19. 1999.210C (PURVIS: 558-6354) 3620 - 19TH STREET - north side between Oakwood and Guerrero Streets, a through lot with frontage on Oakwood Street; Lots 18, 68 & 70 in Assessor's Block 3587. Request for Conditional-Use Approval under Planning Code Section 304 to develop an up to 43-unit residential PUD (Planned Unit Development), with exceptions from the rear yard requirements of Section 134 and density standards of Section 209.1(g) & (h), within an RH-2 (Residential, House, 2-Family) Zoning District and a RH-3 (Residential, House, 3-Family) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of March 22, 2001)

#### SPEAKER(S):

#### (+) Michael Stanton, Architect

Gave an overall description of the building

# (-) Patricia Kenney

- Preservation of the character and flavor of the neighborhood
- Their neighborhood stopped the demolition of one the building in the area
- Point out that they had tried to have a quality life
- Developers didn't take in consideration any of the neighbors concerns

# (-) Leslie Chin

- This development is too large
- Would cause a impact in privacy
- There is not yard space
- Obstructing with the quality of our neighborhood
- If this developer could consider scaling down this building

# (-) Eileen Gold

- On 19<sup>th</sup> Street block has a total 29 homes owners
- We would like to retain the stability of the neighborhood
  - Proposed project would have a destabilizing impact because of the density and the number of bedroom
  - There is a lots traffic on Guerrero Street, that had a lots of drug traffic
- This property has a history of no compliances

### (+) Jim Chappel

- Lived in Guerrero Street
- There is tremendous shortage of housing
- Commended the Commission for been very responsible
- This site is ideal
- It is accessible to public transportation
- This is one the most valuable neighborhoods in San Francisco
- Density is very appropriate for this infield site
- Support parks, open space

# (-) Steve Secret

- Strongly urge no to approve this project
- Concerned about the number of houses to be build
- Creation of parking structures
- The excessive number of housing units that not conform to the PC
- Would increase noise, traffic a lots of lights for the neighbors
- This is a monster construction
- Improper parking garage
- Parking structure of this size, is not appropriate for this neighborhood
- Concerned about fume, exhaust, noise, etc.
  - Proposed design no way conform with incomparability of building façade according with the Planning Code, the plan unit should only be approve if offers an outstanding design compliment ting to the design and values of the surround neighborhood
- It totally out of character with the neighborhood
- It should be approve with out substantial modifications

## (+) Ron Miguel

- Referred to a letter of support for the project sent by the Housing Coalition
- It had made a creative use of this very unusual infill site
- Maintain itself within reasonable density for this City
- It is ideal as far as density and public transportation
- Neighbors do not need more parking spaces
- Urge Architect and Developer to work closely with the neighborhood
- Regret that has not been a landscape plan submitted at this point, and think that it
  is very important aspect of it

#### (-) Laura Haynes

- Read a letter of opposition to the Commission

#### (+) Ray Sharpateer

- 16 year resident of the community

- Discuss the issue of great level at the interior mid-block of the proposed site
- The great level slope down to 19th or 18th Street and nearly 5 feet above the adjacent property at the mid block level
- The height of the proposed structures is already taller than any of the structures that they are going to block.
- Would create a great loss of light
- In addition of loss of privacy
- There would be lots of noise
- This a long time residents area
- Project is too big, needs to scale down

# (+) Joel Luke

- No financial or professional benefit
- His interest is that all people has a quality living
- Community that he loves and cherishes
- Community character should be saved
- Closely community that cares about the neighborhood
- Density is a form quality well plan residences, which has the potential to enhance this community
- Density of this development is less than other developments, which faced initial opposition, and ultimately become assets to the community
  - This industrial site is currently a scar on a beautiful neighborhood

# (+) Steve Nicholson-

- Take in consideration as you deliver on this, and if in fact, a Planning Commission in the City shows to denied a project significantly smaller than this in 1979, there had to be some good reasons
  - Project needs to be scale down

# (-) John Barbey

- Lived on Liberty Street, 2 blocks away from the proposed project for 17 years
- Do not think that a former non compliance use, should be use like this cottage houses, there are several of them, that were made into residential units should be use as an excuse to introduce new non compliance structures into the mid block.
- These houses were built before there was any zoning
- There is not open space, it is very minimal
- This do not seems a fair argument for introducing these houses, there are huge density

# (-) Nick Pascoriello

- Lived in the area for 20 years
- There is a section in the Planning Code that say that is the obligation of the City to protect the affordable housing
- Project has to be scale back
- This would be cause a terrible impact to this neighborhood
- Architect has little sensitivity in accommodating the concerns of the neighborhood

#### (-) Jan Newfield

Our building's windows would be blocked

# (-) David Ball

- Feel this project as proposed is unsuitable
- Do not approve this project
- Density proposed will have an adverse effect in the environment we are residing -
- Some of the areas most concerns is the emergency access path
- How people would move into this proposed building
- Height is out the context with its neighboring buildings.

ACTION:

Approved

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT:

Fay

MOTION NO .:

16133

20a. 2000.1268XCV

(LIGHT: 558-6254)

663-665 SUTTER STREET - south side between Mason and Taylor Streets, Lot 11, in Assessor's Block 297. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception for a building exceeding 80 feet in a 80-130-F District (Section 263.8), and an exception to the bulk limit (Section 270) for a new building in a C-3-G District (Section 138). The proposal is to build an 88'-0" high, 10-level (3 below grade, 7 above grade) structure containing a total of 92,380 square feet, including 212 parking spaces, and approximately 41,880 square feet of recreation space (swimming pool, gymnasium, and women's locker room facilities) that will connect to the rear of the existing Olympic Club which faces on Post Street.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of March 22, 2001)

# SPEAKER(S): None (+) Bob McCarthy

The site is a garage that was built in 1939

- In order to make accommodations for the changes in demographic, the real heart and soul of this proposed site is preserving the parking, it is really to accommodate that dynamic
- Creates a code compliance structure

Comparable design

- Now provides off street loading

Its is pedestrian friendly

Donating \$60,000 to the Open Space Fund

John C. Davis, Principal Architect

- Gave a description of the project

ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay MOTION NO.: 16134

20b. 2000.1268XCV

(LIGHT: 558-6254)

663-665 SUTTER STREET - south side between Mason and Taylor Streets, Lot 11 in Assessor's Block 297. Request for a Conditional-Use Authorization for a parking garage in a C-3-G District (Section 223(n)). See description in item (a) above. The proposal is to build an 88'-0" high, 10-level (3 below grade, 7 above grade) structure containing a total of 92,380 square feet, including 212 parking spaces, and approximately 41,880 square feet of recreation space (swimming pool, gymnasium, and women's locker room facilities) that will connect to the rear of the existing Olympic Club which faces on Post Street.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of March 22, 2001)

SPEAKER(S): None ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay MOTION NO.: 16135

20c. 2000.1268XCV

(LIGHT: 558-6254)

663-665 SUTTER STREET - south side between Mason and Taylor Streets, Lot 11 in Assessor's Block 297. Request for a variance from the open space requirements for a new building in a C-3-G District (Section 138). The applicant does not propose any public open space for this project and would like to make an in-lieu payment to the open

space fund. See description in item (a) above. The proposal is to build an 88'-0" high, 10 level (3 below grade, 7 above grade) structure containing a total of 92,380 square feet, including 212 parking spaces, and approximately 41,880 square feet of recreation space (swimming pool, gymnasium, and women's locker room facilities) that will connect to the rear of the existing Olympic Club which faces on Post Street. (Continued from Regular Meeting of March 22, 2001)

SPEAKER(S):

None

ACTION:

Approved

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT:

Fav

#### ITEM # 21 TAKEN OUT FOLLOWED ITEM #13

21. 2000.1179C

(BRESSANUTTI: 558-6892)

366-368 SOUTH VAN NESS AVENUE - west side between 14<sup>th</sup> Street and 15<sup>th</sup> Street; Lot 61 in Assessor's Block 3616 – Request for Conditional-Use Authorization to enlarge a two-unit residential building, increasing the floor-to-ceiling height of the ground floor by 6'-6" and the overall height of the building from 32'-0" to approximately 38'-6", extending the ground floor to the rear property line, and modifying the façade of the building, requiring Conditional-Use Authorization per Section 215(a) of the Planning Code. No change in the number of dwelling units is proposed. The project is located in a C-M (Heavy Commercial) District and a Mixed-Use Housing Zone, and a 50-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

SPEAKER(S):

None

ACTION:

Approved as amended

AYES:

Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: MOTION NO.: Fay 16128

22. 2001.0034C

(WOLOSHYN: 558-6612)

1290 CHESTNUT STREET - north side at northeast corner of Van Ness Avenue, Lot 011 in Assessor's Block 0478. Request for Conditional-Use Authorization under Planning Code Section 209.8(d) to allow office use above the ground story in an RC (Residential-Commercial Combined) District. The proposal is to alter an existing three-story office building (currently 30 feet in height) by adding a new fourth story to contain 262 square feet of office space resulting in a new height of 40 feet. The total net increase in floor area is 48 square feet. The subject property is located in an RC-3 (Residential-Commercial Combined, Medium Density) District and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of March 22, 2001)

#### SPEAKER(S):

#### **Project Architect**

Description of the project

#### (-) Don Shepard

- Concerned about commercialization of the neighborhood
- More offices, there will be more traffic
- There is a lot of illegal parking
- Lost of light into their bedroom
- (-) Julle Shepard

- Comercial intensification of the neighborhood
- Major part of this project would in our side of their building
- Height of the project
- Parking is horrible problem in this part of town
- A lots people park on the sidewalks
- Air and light is the major concerns

# (-) Madeline Camisa

- Long time resident of this neighborhood
- Improvement of this particular property is out of proportion
- It is the only commercial property on this block
- Brings down the character of the neighborhood

ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe,

NAYES: Salinas ABSENT: Fay MOTION NO. 16136

23a. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side, between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Request for a Conditional-Use Authorization to allow the construction of two dwelling units in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer, per Planning Code Section 215(a) and Planning Commission Resolution No. 14861, and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of March 22, 2001)

ACTION: Continued to 4/19/01

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

# At Approximately 6:46 p.m. the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

23b. 2000.264CD (MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Staff-initiated request for Discretionary Review for the demolition of an existing, vacant industrial building and construction of housing and space for production, distribution and repair businesses in an existing industrial building space in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer per Planning Commission Resolution Nos. 14861 and 16079; and a 40-X Height and Bulk District. NOTE: This project was previously noticed on February 8, 2001, and has since been modified. The previous notice stated that the ground and second stories would be occupied by office space.

Preliminary Recommendation: Do not take Discretionary Review (Continued from Regular Meeting of March 22, 2001)

ACTION: Continued to 4/9/01

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

24. 2000.1047D (SMITH: 558-6322) 4023-4025 – 25<sup>TH</sup> STREET - south side of the street between Noe and Sanchez Streets, Lot 040 in Assessor's Block 6548. Request for Discretionary Review of Building Permit Application No. 2000/11/08/5161 proposing to merge Units 4023 and 4025 in order to reduce the number of dwelling units in the building from two to one in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

(Continued from Regular Meeting of March 8, 2001)

### SPEAKER(S):

# Patrick Avanan, Property Owner

- Nice neighborhood that would like to raise his family in it
- Loves the sunlight and the beautiful weather of the area

- Worked hard and saved money to be able to become a property owner, and now it seems that this is going to be taken away

# Bill Patchan, Project Architect

- Gave a description about the project

ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe,

NAYES: Salinas ABSENT: Fay

25. 1999.811D

(PUTRA: 558-6233)

1660 MISSION STREET - west side between South Van Ness Avenue and Thirteenth Street, lots 5 and 6 in Assessor's Block 3512. Request for Discretionary Review of Building Permit Application No. 2000 0515 0033, to construct a six-story above grade level, approximately 76-feet-tall addition with 25,365 gross square feet of office and 5,073 square feet of parking at grade level. This is an addition to the existing 92,000-gross-square-foot city office building, of which 22,610 square feet are in an underground garage, in a C-M (Heavy Commercial) District; and a 105-J Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the Building Permit Application as revised.

(Continued from Regular Meeting of March 1, 2001)

ACTION: Continued to 5/3/01

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fav

26. 2000.657D

(MEHRA: 558-6257)

<u>2531-33 BAKER STREET</u> - west side between Vallejo and Green Streets, Lot 004 in Assessor's Block 0956. Requests for Discretionary Review of Building Permit Application No. 2000/01/28/559 proposing to alter the existing building containing two dwelling units by adding a horizontal extension towards the front of the lot, and by merging the two dwelling units into one in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the application as revised.

Note: On March 22, 2001, after public testimony, the Commission closed public hearing. The Commission voted to continue this matter to April 5, 2001 by a vote of +6–0, in order for staff to provide the following information: 1) date the building was built; 2) what was the original use; 3) what do the plans look like now that the neighbors have signed off; 4) what is the current condition of the building; 5) what are the practical implications of approving an expansion of the building envelope to make it a conforming, noncomplying use.

SPEAKER(S): None Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe,

NAYES: Salinas ABSENT: Fay

#### 27. 2001.0153D

(JONES: 558-6477)

160 YERBA BUENA/166 YERBA BUENA - south side between Santa Paula Avenue and Maywood Drive, adjusted lots 38, and 37 (was lot 8 and 7) for Assessor's Block 3078. Request for Discretionary Review on Building Permits Applications 2001/11/17/9921 and 2001/01/17/9957. Both permits are for the construction of a driveway and a retaining wall on two separate lots in an RH-1(D) (One-Family Detached Dwelling) and a 40-X Height and Bulk District

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

# SPEAKER(S):

### (-) Terry Norenberg, DR requestor

- Speaking on behalf of the home owners in San Francis Woods
- Live two streets away from the project
- There is obviously a significant real estate development on the way
- This will have an effect on the home owners of the Association
- Asked for a full review of the project
- This is strictly a property development matter
- Project is situated in a steep hill side made out of pour soil
- Only access to the site is on Yerba Buena Avenue, and it is already heavily over traffic local street
- Permit is been contested provide for the building of a road way, which will sit in an
  unsafe distance from the residential house, and because it will facilitate the over
  building on the site
- This is a crucial point on the project, if the site has 55 foot access road, which currently does, it could be develop in a less dense degree if it has the 21 foot exit road.
- Drawings submitted showed that the lot was been subdivided
- No notice was given to the neighborhood
- A wall was been build without permit
- We must anticipate that the lot must not be saleable considering the conditions of the hill side

# (+) Michael Acrobado, Project Sponsor

- Lived at 160 Yerba Buena
- Had a battle going on with the Home Owners Association pertaining to the driveway and light pillar that was situated in an area that is hazards for coming in and out of our driveway
- Board of Supervisors, and Public Works unanimously voted that this voted had to be removed
- Got support from over 100 home owners from the neighborhood
- Some property owners in the neighborhood combined their driveways so that they can easy access to their garage

# (+) Mike Donbraski

- We are not asking for rights that any other neighbor in the area
- This is safety issue
- Our garage is at the foot of the that driveway, it is literally impossible to get into our garage, we had to do a five to a seven point turn every time we want to get out
- Moving the wall over and widen the driveway it widens the radius of getting in and out the driveway
- We feel that this is not inconveniencing anybody

# (+) Peter Straton

Supports project

# (+) Milton Honeywood

# Supports project-

ACTION: Approved

AYES: Theoharis, Baltimore, Chinchilla, Joe, Salinas

ABSENT: Fay

#### G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Adjournment: 7: 45

\*10 \*12/01

# SAN FRANCISCO PLANNING COMMISSION

# Minutes of Meeting & Calendar

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Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, April 12, 2001

1:30 PM

**Regular Meeting** 

PRESENT:

Theoharis; Baltimore; Chinchilla; Salinas

ABSENT:

Fay, Joe

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARS AT 1:37 P.M.

STAFF IN ATTENDANCE: Gerald G. Green – Director of Planning; Larry Badiner – Zoning Administrator; Rana Ahmadi; Judy Martin; Rick Crawford; Lisa Gibson; Mathew Snyder; Dan DiBartolo; Dan Sider; Nora Priego – Transcription Secretary; Linda D. Avery – Commission Secretary

# A. ITEMS PROPOSED FOR CONTINUANCE

2001.0035E

ISSUANCE OF TAXI MEDALLIONS — CITYWIDE - Appeal of Preliminary Negative Declaration. The San Francisco Taxi Commission, City and County of San Francisco, proposes to issue approximately 500 additional taxi permits ("medallions"). After implementation of the project, the number of taxi permits available in the City would increase from 1,381 to 1,881, an increase of approximately 36%. New permits may be issued if supported by a finding that additional permits are required to meet the public convenience and necessity. Once issued, the permits would result in 500 additional taxis in use. Operation of taxis in the City limits is subject to regulation and review by the San Francisco Taxi Commission. Proposition K, a 1978 initiative ordinance governing the operation of taxis in the City, requires that the permits, once issued, be operated continuously.

Recommendation: Uphold Preliminary Negative Declaration (Proposed for continuance to April 19, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

2. 2000.1061E

(WYCKO: 558-5972)

400 PAUL AVENUE - bounded by Paul Avenue, Third Street, Bayshore Boulevard and railroad spur track, Lot 14 of Assessor's Block 5431A. The proposal is an Appeal of a Preliminary Negative Declaration for the demolition of an existing, 40 foot high warehouse/distribution building, which totals approximately 89,400 gross square feet to be replaced by a newly constructed 65-foot high structure with 339,300 gross square feet of space for Internet and telecommunication equipment and 155 off-street parking spaces. The proposed facilities would be warehouses for telecommunication switches and operational equipment that provides data services to Internet users. The proposed project is an allowed use within M-1 District and is situated within an Industrial Protection Zone.

Preliminary Recommendation: Uphold Preliminary Negative Declaration

(Continued from Regular Meeting of March 22, 2001)

(Proposed for continuance to April 26, 2001)

ACTION:

Continued as proposed

AYES:

Theoharis, Baltimore, Chinchilla, Salinas

ABSENT:

Fay and Joe

3. 2000.1061C

(MARTIN: 558-6616)

400 PAUL AVENUE - north side between Third Street and Bayshore Boulevard, Lot 014 in Assessor's Block 5431A. Request for a Conditional-Use Authorization to demolish an existing industrial building which has not been vacant for more than 15 months, in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone, per Planning Commission Resolution No. 14861 and a 65-J Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of March 22, 2001)

(Proposed for continuance to April 26, 2001)

ACTION:

Continued as proposed

AYES:

Theoharis, Baltimore, Chinchilla, Salinas

ABSENT:

Fay and Joe

4. 2000.1058E

(DEAN: 558-5980)

1598 DOLORES STREET - located at the northwest corner of Dolores and 29<sup>th</sup> Streets; Assessor's Block 6618; Lots 7, 9, 38. Appeal of a Preliminary Negative Declaration. The proposed construction consists of two, four story residential buildings with a total of 13 units (two of which would be affordable units) and demolition of an existing two-story mortuary building. The project would provide 13 off-street parking spaces. The proposed project site is 10,500 sq. ft. and is located in the NC-1 (Neighborhood Commercial Cluster) District. The project would require Conditional-Use Authorization by the City Planning Commission.

Preliminary Recommendation: Uphold Negative Declaration

(Continued from Regular Meeting of March 1, 2001)

(Proposed for continuance to May 10, 2001)

ACTION:

Continued as proposed

AYES:

Theoharis, Baltimore, Chinchilla, Salinas

ABSENT:

Fay and Joe

5 2000.1058C

(TAM: 558-6325)

1598 DOLORES STREET - northwest corner of Dolores and 29th Streets; Lot 7, 9, and 38 in Assessor's Block 6618 - Request for a Conditional Use Authorization to develop on a lot greater than 5,000 square feet in size, pursuant to Planning Code Section 710.11, in an NC-1 (Neighborhood Commercial, Cluster) District and a 40-X Height and Bulk District. The proposal is to demolish an existing two-story mortuary building and to construct two, four-story residential buildings with a total of 13 units (two of which would be affordable units) and 13 parking spaces. The buildings would be 40 feet high with an additional three-foot high parapet.

Preliminary Recommendation: Pending

(Proposed for continuance to May 10, 2001)

ACTION: Continued as proposed

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

6. 2000.1324C (LI: 558-6396) 511-529 HAYES STREET - south side between Octavia and Laguna Streets; Lot 031 in Assessor's Block 0818. Request for Conditional-Use Authorization pursuant to Section 720.53 of the Planning Code to establish a Business/Professional Service within the Hayes-Gough Neighborhood Commercial District and a 50-X Height and Bulk District. The proposal is to allow Red Wagon, an advertising and graphic design firm, to legalize

its presence on the ground floor of the existing building. Preliminary Recommendation: Dissaproval

PROJECT WITHDRAWN (Proposed for Continuance to May 3, 2001)

ACTION: Continued as amended

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of adoption - draft minutes of March 8, 2001

8.

ACTION: Approved

AYES:

Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay, Joe

8. Commission Matters

Theoharis: Remind staff that when there are projects that require input from other departments that a representative from those departments attend the hearing.

#### C. DIRECTOR'S REPORT

- Director's Announcements
  - Zoning Administrator is on vacation
- Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOA: No meeting this week

BOS: - Announced last week the items that were of relevancy.

- Land Use Committee is holding their meeting as we speak – Planning Department is being represented regarding three calendar items

#### D. REGULAR CALENDAR

11. 2000.173E (AHMADI: 558-5966)
500 FRANCISCO STREET, NORTH BEACH HOPE IV HOUSING REDEVELOPMENT
PROJECT - Public Hearing on a Draft Environmental Impact Report. The project site

is located on Assessor's Block 42, Lot 1 and Assessor's Block 43, Lot 1 in a RM-3 Zoning District and a 40-X Height and Bulk District under the San Francisco Planning Code. The project is the demolition of 13 three-story buildings containing 229 units of rental public housing units and child care facilities for 38 children, and construction of 14 three- to four-story buildings with 360 units of affordable housing, neighborhood serving ground floor retail and commercial office space, child care facilities for 38 children, and one level of below-grade parking in the Fisherman's Wharf area. The 360 units would include 229 units of rental public housing, and 131 units of rental affordable housing of which 48 would be designated for senior housing. The site is approximately 200,000 square feet, bordered by Bay Street, Francisco Street, Mason Street and Columbus Avenue. The project would require a Conditional Use Approval from the Planning Commission to permit Planned Unit Development under Sections 303 and 304 of the Planning Code. The project would provide 404 independently accessible parking spaces. Public comment period on the Draft Environmental Impact Report is March 10, 2001, to April 17, 2001.

Preliminary Recommendation: Public hearing only. No Action Required

#### SPEAKER (S):

# (-) Roger Brannan

Spoke regarding 500 Francisco Street

- This project is right at the site of the Cable Car turning point
- Low rent district is next to the tourist hotel
- This was never popular with African Americans
- Discriminated against families with children
- Existing property can be preserve for low rent uses

ACTION: Meeting held. No Action Required. Written comments will be accepted

until close of business on 4/17/01.

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fav and Joe

#### 12. 2000.1251C

(MARTIN: 558-6616)

<u>2990 - 24th STREET</u> - northeast corner of Harrison Street; Lot 40 in Assessor's Block 4206. Request for Conditional Use Authorization under Section 727.42 of the Planning Code to allow a full service restaurant in the 24th Street Mission Neighborhood Commercial District, the Mission Alcoholic Beverage Special Use Sub district and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

#### SPEAKER (S):

# (+) Andrew Murphy, Project Sponsor

Described the project

#### (+) Cynthia Bastidas

- Spoke about the application
- Proposed use is necessary and desirable to be comparable with the rest of the neighborhood
- This is a full Salvadorian/Mexican food restaurant
- Most clients are local residents and families from the neighborhood
- Employs people from the neighborhood
- Proposed use will contribute to safety, security and general welfare of the neighborhood
- This restaurant is an important business presence in the 24th Street Corridor
- Encouraged Commission to approve the extension of hours of operation

#### (+) Vilma Castellanos

This project is necessary for the neighborhood

#### (+) Malvin Cordovas

- Satisfied with the services they provide to the community in general

ACTION: Approved as amended: Hours of operation are from 7:30 am to 10:00

pm every day of the week

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

13. 2000.613EXCK

(GIBSON: 558-5993)

425 BATTERY STREET (aka 418 CLAY STREET) (BATTERY STREET HOTEL) - west side between Merchant and Clay Streets; Assessor's Block 206, Lots 3, 4, and 5. Certification of the Final Environmental Impact Report (EIR) prepared for the demolition of three existing structures at 425-27 Battery Street and 418 Clay Street, and construction of a new 11 story mixed use building on a 14,025 square foot site in downtown San Francisco. The new building analyzed in the EIR would include about 17,700 square feet of retail space, and up to 348 hotel rooms. The hotel, called Club Quarters, would be a private business hotel for exclusive use of member organizations. Off-street loading would be accessed from Merchant Street. No off-street parking would be provided on site.

Please Note: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on February 15, 2001. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification only may be presented to the Planning Commission.

Preliminary Recommendation: Certify EIR

SPEAKER (S):

(-) Roger Brannan

ACTION:

- Do not certify the EIR **EIR** Certified

AYES:

Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

MOTION NO. 16138

14. 2000.613XC (CRAWFORD: 558-6358)

425 BATTERY STREET (aka 418 CLAY STREET) (BATTERY STREET HOTEL) -Assessor's Block 206 Lots 003, 004, 005, west side of Battery Street between Clay Street and Merchant Street. Request under Planning Code Section 309 (Downtown Code) for Determination of Compliance, and for exceptions as provided under Section 309.a to (1) allow no tour bus loading space where one such space is required and to (2) allow no setback from the interior property lines above the 90 foot building base where a 15 foot setback is required. This project lies within a C-3-O (Downtown, Office) District and within a 200-S Height and Bulk District. The project will demolish three existing mixeduse office/retail buildings and construct an eleven-story hotel with up to 348 rooms and ground floor retail.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Mr. Madison, Project Sponsor

Responded to some of the questions regarding open space

(+) Clark Manus, Project Architect

Gave a general presentation of the project and addressed the issue of open space

(+) Patricia Vaughey

This is some of the best architecture she's ever seen in San Francisco

Approve with conditions as proposed ACTION:

AYES: Theoharis, Salinas, Baltimore

NAYES: Chinchilla Fay and Joe ABSENT:

RESULT: The motion failed to carry.

ACTION: Public hearing closed. Continued to 4/26/01 Theoharis, Baltimore, Chinchilla, Salinas AYES:

(CRAWFORD: 558-6358)

ABSENT:

Fav and Joe

15. 2000.277XC

425-427 BATTERY STREET (aka 418 CLAY STREET) (BATTERY STREET HOTEL) -Assessor's Block 206 Lots 003, 004, 005, west side of Battery Street between Clay Street and Merchant Street. Request under Planning Code Section 219.b.ii for a hotel with up to 348 rooms. This project lies within a C-3-O (Downtown, Office) District and within a 200-S Height and Bulk District. The project will demolish three existing mixed-use office/retail buildings and construct an eleven-story hotel with up to 348 rooms and ground floor retail.

Preliminary Recommendation: Approval with conditions

SPEAKER(S): Same as those listed in item 14

ACTION: Public hearing closed. Continued to 4/26/01 AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fav and Joe

2000.743C 16.

(CABREROS: 558-6169) 2098 LOMBARD STREET, northeast corner of Lombard and Fillmore Streets in Lot 013 in Assessor's Block 0492. Request for Conditional Use Authorization under Planning Code Section 712.21 for non-residential use size exceeding 6,000 square feet and Section 712.59 for automotive repair use located on the ground floor within an NC-3 (Moderate-scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposal is for San Francisco Honda to make tenant improvements to a newly constructed building (6,252 gross square feet) for automotive repair use with an occupied floor area of 4.975 square feet.

Preliminary Recommendation: Approval with conditions

# SPEAKER(S):

#### (+) Steve Vettel

- This is a proposal for a neighborhood repair facility
- There will be 10 technicians at this location
- San Francisco Honda's main facility at 10 Van Ness Avenue will remain there: this will be a satellite facility.
- There is a similar satellite facility at 9th Avenue in the Sunset District that is well received by the neighborhood
- This is an ideal location
- It never has been or probably never will be a purely pedestrian oriented pedestrian
- Prior use of the site was an auto repair. However, it was not an enclosed facility. Instead, it was a small gas station surrounding by a parking lot

#### (+) Patricia Vaughey

- This neighborhood has lost all the repair shops
- This is the best use under the circumstances for this location
- This is in asset to the neighborhood
- The majority of the adjacent neighbors are in favor of it

# (+) Erick Blanco, Hogan, Bianco & Sullivan Funeral Home

Supports the project

ACTION: Approved as amended

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe MOTION NO. 16139

At Approximately 3:40 p.m. the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

#### 17. 2001.0194D

(CRAWFORD: 558-6358)

999 GREEN STREET - between Taylor and Jones Streets, Lot 029 in Assessor's Block 0127, Request for Discretionary Review of Building Permit Application No. 2000/09/15/0634, proposing to convert a 106 unit building to a 105 unit building in an RM-2 (Residential, Mixed, Moderate Density) District and a 40-X Height and Bulk District. Specifically the proposal will merge two dwelling units into one on the 29th floor. No exterior alterations are proposed.

Preliminary Recommendation: Do not take Discretionary Review, and approve the project as proposed.

#### SPEAKER(S):

# (+) Kim Albany, representing project sponsor

- There is no need for the discretionary review

Sent the 311 notification and there were no objections to the project

ACTION: Take DR and disapprove AYES: Theoharis, Chinchilla, Salinas

NAYES: Baltimore
ABSENT: Fay and Joe

**RESULT:** The motion failed to carry.

ACTION: Continued at the call of the Chair to 4/19/01

AYES: Theoharis, Chinchilla, Salinas

NAYES: Baltimore ABSENT: Fay and Joe

#### 18. 2000.1193D

(M. SNYDER: 575-6891)

1250 MISSOURI STREET - west side, between 25th and Cesar Chavez Streets, Lots 14, 15 and 16 in Assessor's Block 4287. Request for Discretionary Review of Building Permit No. 9820408, proposing to construct an approximately 53,000 gross square foot light industrial building, in a M-1 (Light Industrial) District, a 65-J Height and Bulk District, and an Industrial Protection Zone.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

#### SPEAKER(S):

#### (-) Sue Hestor

- This is an unusual site
- It is one of the largest parking lots in the City
- Another problems with this project is the layout of the units
- We are recycling live/work plans and creating inaccessible commercial uses by policy if we allow this
- Planning Commission has the responsibility of saying is this viable? Is this real? Or are people trying to fool us all?
- This case should be continued and ask for some accessibility input
- Every unit on this mezzanine is inaccessible

# (-) Dick Millett, Potrero Boosters Neighborhood Association

- This building was presented to him as a live/work project a couple of years ago, and I definitely told them that no way we would support it.
- This was an IPZ
- It is on a very unimproved street. Are they going to improve it all the way from Cesar Chavez to the site? Or are they just going to improve half of the street?
- Traffic for the taxi cabs is going to be horrendous

- This is a dead end street and can never be connected with other streets because it dies into the bank of the 25<sup>th</sup> - 26<sup>th</sup> Street hill.
- There are no future methods proposed of connecting this street with any other street

# (+) Jim Ruben

- This is a project that truly has been chasing something of a moving target

- When it was purchased in 1988 it was probably not located in an area that was a center of things to begin with. One would hope that the market would have caught up with this land. It didn't and as you know, the market has changed dramatically
- We are here to get an approval for something that is not a live/work. It can't be a live/work, it can be small units for industrial use
- There is a minor encroachment permit already achieved. They will improve the
  - Accessibility is no longer an issue
- Lockers and shower areas have been added

# (+) Nathan Graham, President Yelow Cab Cooperative

- The street is indeed in need of improvement
- Looking forward for something to be built in that location

#### (+) Tom Lewis

- Developed his own property in 1977 and completed in 1979
- In favor on anything that solves the vacancy of the proposed location
- This proposed structure is the best use of this property and is consistent with the business and structures of the neighborhood

#### (+) Joe O'Donoghue

- Finds it ironic that this is not a developer. This is a woman that had never (developed) anything in her entire life. She is the owner of a market
- She changed the plans 3 times
- This is an industrial/commercial building

**ACTION:** Did not take discretionary review and approved the project as proposed

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fav and Joe

#### 19. 2000.375D

(M. SNYDER: 575-6891)

<u>705 UTAH STREET</u> - a landlocked parcel bordered by parcels facing 19th Street to its north, and San Bruno Avenue to its east, Lot 14 in Assessor's Block 4076. Request for Discretionary Review of Building Permit No. 2000/02/17/2203, proposing to construct a two-unit residential building on a vacant lot, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKERS: None

ACTION: Without hearing, continued to 5/24/01
AYES: Without hearing, continued to 5/24/01
Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

#### 20. 2000.360D

(M. SNYDER: 575-6891)

<u>2311 - 19TH STREET</u> - south side between San Bruno Avenue and Highway 101, Lot 18 in Assessor's Block 4076. Request for Discretionary Review of Building Permit No. 2000/02/29/3109 and Demolition Permit No. 2000/02/29/3108, proposing to demolish the existing single-family house and construct a new two-unit building, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKERS: None

PEARENS. NOTE

ACTION: Without hearing, continued to 5/24/01 AYES: Without hearing, continued to 5/24/01 Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

#### 21. 2001.006DD

(DiBARTOLO: 558-6291)

835 LOMBARD STREET - south side of the street between Taylor and Jones Streets, Lot 020 in Assessor's Block 0073. Request for Discretionary Review of Building Permit Application No. 2000/07/13/5089S. The subject property contains one structure, a portion of which extends into the required rear yard. The proposal consists of two components: (1) to construct a new 425 square foot rear addition on the fourth floor, within the permitted buildable area, and (2) to remove the gable roof, creating a flat roof and deck atop the noncomplying portion of the structure at the rear of the subject property. The height of the roof with proposed deck, on the non-complying portion of the building, will be reduced from 20'-4" to 18'. The site is in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application with modifications as submitted.

(Continued from Regular Meeting of April 5, 2001)

#### SPEKEAR(S):

# (-) Rick Sears, Representing DR requestor

- They are 3 different buildings built at various times
- The proposed space where they want to build now is the only portion left for open space
- It will block the light from his windows
- They should be in the front of the house, instead of the proposed site

# (-) Ms. Alioto, Discretionary Review Requestor (Mr. Rick Sears spoke on her behalf)

- Lived in her property for 80 years
- Proposed project would block her bedroom light
- In 1970 they proposed to build a fence around and they were disapproved
- Clearly if they were denied to build just a fence, why would they be allowed to build a building there?
- This area was purposely left open
- Urged them to consider an alternative location
- Would like to stress that there has not been any effort to compromise

#### (-) Adam No

- There will be a severe blockage of view
- Constructing in the front of the property is a viable alternative

#### (-) Maria Ho

Do not approve the project

#### (-) Deborah Ng

- Lack of light in her parents house would worsen their health
- Should be considerate to the neighbors and build in the front of the building

#### (-) Betty Ng

- This structure will impact their property immensely
- They should compromise by building in the front
- Everyone involved is elderly
- We do not oppose her building, but she should do it where she does not affect her neighbors

# (+) John Lau, Project Architect

- Property owner is also an elderly sick person
- Impact to the neighbors is not as drastic as they are describing it **ACTION:** Take Discretionary Review and disapprove the project

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fav and Joe

22. 2001.0095D

(SIDER: 558-6697)

740 VERMONT STREET - northwest corner of 20<sup>th</sup> Street, Lot 016 in Assessor's Block 4075. Request for Discretionary Review of Building Permit Application No. 2000.10.05.2384 proposing to construct a vertical addition to a single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary recommendation: Do not take Discretionary Review and approve the project as proposed.

#### SPEAKER (S):

# (-) Erick Limesider, representing Discretionary Review Requestor

- Owner of this property had lived in this house for more than 50 years
- Mr. Benezini, totally disabled, spent a good deal of his time in the house, particularly in the kitchen
- The kitchen window that we are concerned with, is the only source of natural light penetrating the house on that side.
- The proposed development would cut all the light off
- This would be a major impact on the availability of natural light
- Onother issue is the change of structure of the windows on 740 Vermont, overlooking the back yard at 734 Vermont
- There is an increase of approximately five windows to about 8, or 6 to 9
- If this project goes thru, the people at 740 Vermont would have a panoramic view into the back yard of the Benzene's residence
- There will not be any privacy

# (-) Edward Ross

- This is morally wrong
- Urged Commission to disapprove project

#### (+) Joyce Book, Project Sponsor

- Needs to take care of this issue because of her grandmother's illness
- There is plenty of light coming into the building next to hers
- Windows are being reduced
- They have an illegal deck
- In regard to the illegal window: It is cut in between two other buildings
- They can see thru to my house from their deck
- They are continuously building in the back of their house illegally
- Plans showed we had moved windows away from their home, reducing these windows in order to preserve my privacy

#### (+) Dick Millett

- Neighborhood has been very supportive
- Will make a big contribution to the neighborhood

# (+) Joann Anthony

- Lived in the area for 16 years
- It will be an assets to the neighborhood
- Supports project

# (+) Carl Boffen, Contractor for the project

- Changed plans about 3 times

There are other forms of natural light coming from the back in the neighbor's house

ACTION: Do not take Discretionary Review and approve project

AYES: Theoharis, Baltimore, Chinchilla, Salinas

ABSENT: Fay and Joe

#### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been

reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) Responding to statements made or questions posed by members of the public; or
- (2) Requesting staff to report back on a matter at a subsequent meeting; or
- (3) Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: None

Adjournment: 5:40

THE DRAFT MINUTES WERE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, June 7, 2001.

SPEAKERS: None ACTION:

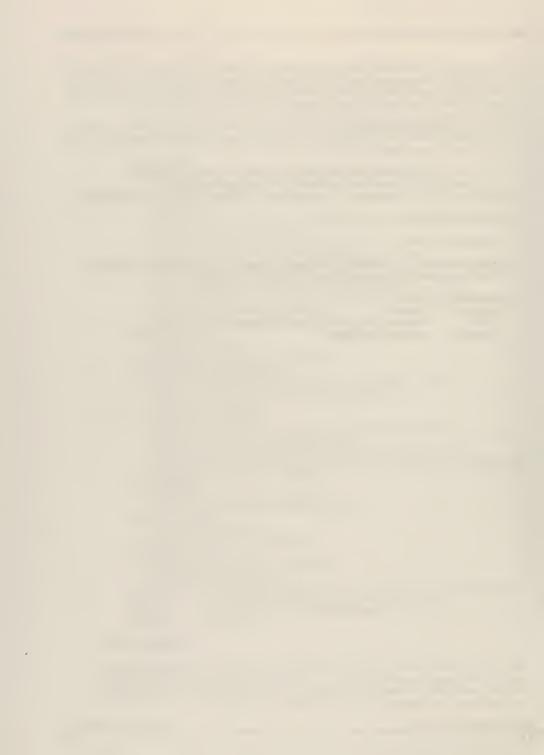
Approved

AYES:

Chinchilla, Fay, Joe, Lim, and Theoharis

ABSENT:

**Baltimore and Salinas** 



.55 10 1/19/01

# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, April 19, 2001

1:30 PM

**Regular Meeting** 

DOCUMENTS DEPT.

JUN 2 0 2001 SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

NT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:36 p.m.

**STAFF IN ATTENDANCE:** Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Rick Crawford; Elizabeth Gordon; Dan DiBartolo; Michael Li; Tina Tam; Blake Washington; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1a. 2000.863BV (WONG: 558-6381) 2712 MISSION STREET - west side between 23rd and 24th Streets, Lot 003 in Assessor's Block 3643. The subject property seeks an authorization for a proposed office development under the smaller building reserve, pursuant to Planning Code Section 321. The proposal is for a change of use from "Retail" to "Office" and for the renovation and expansion of an existing 27,831-gross-square-foot building into a 30,847gross-square-foot building by enlarging a mezzanine within the existing structure. The subject property falls within a NC-3 (Moderate Scale Commercial) Zoning District and a 50-X/80-B Height and Bulk District.

Preliminary Recommendation: Disapproval (Continued from regular meeting of April 5, 2001)

PROJECT WITHDRAWN

SPEAKER(S): None

ACTION: Project Withdrawn

1b. 2000.863BV (WONG: 558-6381)

2712 MISSION STREET - west side between 23rd and 24th Streets, Lot 003 in Assessor's Block 3643. The subject property seeks a parking variance for the reduction of required off-street parking, pursuant to Planning Code Section 151. The project proposes to provide five parking spaces for the conversion of 30,847 gross square feet of office space on a site, which presently provides no off-street parking spaces. The subject property falls within a NC-3 (Moderate Scale Commercial) Zoning District and a 50-X/80-B Height and Bulk District.

(Continued from regular meeting of April 5, 2001)

PROJECT WITHDRAWN

SPEAKER(S): None

ACTION: **Project Withdrawn** 

2. 2001.0035E

(BUFORD: 558-5973) ISSUANCE OF TAXI MEDALLIONS - CITYWIDE - Appeal of Preliminary Negative Declaration. The San Francisco Taxi Commission, City and County of San Francisco. proposes to issue approximately 500 additional taxi permits ("medallions"). After implementation of the project, the number of taxi permits available in the City would increase from 1,381 to 1,881, an increase of approximately 36%. New permits may be issued if supported by a finding that additional permits are required to meet the public convenience and necessity. Once issued, the permits would result in 500 additional taxis in use. Operation of taxis in the City limits is subject to regulation and review by the San Francisco Taxi Commission. Proposition K, a 1978 initiative ordinance governing the operation of taxis in the City, requires that the permits, once issued, be operated continuously.

Recommendation: Pending

(Continued from Regular Meeting of April 5, 2001)

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Continued Indefinitely

AYES: Baltimore, Fay, Salinas, Theoharis

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption - draft minutes of March 15, 2001

> SPEAKER(S): None

ACTION: Continued to April 26, 2001

Commission Matters 4.

Commissioner Salinas:

He has had the good fortune of participating on two other Commissions: Park and Rec and Police, yet he has been greatly disturbed about the comments being made about this Commission. Although he is not asking for appreciation, it is unfortunate, and it does the public a disservice, to demean the work that this Commission does.

Commissioner Theoharis: She has a letter for a continuance for the project located at 4038 17th Street. This project was granted a continuance last year. The sponsor waived the streamlining act for a one-time, 90-day continuance. The City Attorney mentioned that this could be done only once. This matter is scheduled for May 10th and the sponsor would like to reschedule for June 7<sup>th</sup>. Therefore, another continuance cannot be granted so the project will be heard on May 10<sup>th</sup>. Staff should notify sponsor of this rule.

#### C. DIRECTOR'S REPORT

5. Director's Announcements

Re: The Housing and Land Use Committee

Currently this committee has its regularly scheduled meeting on Thursdays at the same time as the Planning Commission hearing. The committee will be rescheduling their meeting to an earlier time on Thursdays.

 Review of Past Week's Events at the Board of Supervisors and Board of Appeals BOS None
 BOA None

#### D. CONSIDERATION OF FINDINGS AND FINAL ACTION -- PUBLIC HEARING CLOSED

7. 2001.0194D (CRAWFORD: 558-6358) 999 GREEN STREET - between Taylor and Jones Streets, Lot 029 in Assessor's Block 0127, Request for Discretionary Review of Building Permit Application No. 2000/09/15/0634, proposing to convert a 106-unit building to a 105-unit building in an RM-2 (Residential, Mixed, Moderate Density) District and a 40-X Height and Bulk District. Specifically the proposal will merge two dwelling units into one on the 29th floor. No exterior alterations are proposed.

Preliminary Recommendation: Do not take Discretionary Review, and approve the project as proposed.

NOTE: On April 12, 2001, following testimony the Commission closed the public hearing. The matter was continued at the call of the Chair to April 19, 2001.

SPEAKER(S): None

ACTION: Project Withdrawn

#### E. SPECIAL OFFICE DEVELOPMENT ANNUAL LIMIT HEARING

Following the regular calendar, the Planning Commission will convene into a Special Office Development Annual Limit Hearing to hear and act on projects being considered under Planning Code Sections 320-325 during the 2000-2001-approval period. (Individual item language will make clear the action being proposed.)

8a. 2000.277BXC (CRAWFORD: 558-6358)
801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Planning Code Sections 320-325 (Office Development Limitation Program) for allocation of up to 136,600 gross square feet of office space for a 12-story building within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

On March 22, 2001, the Commission considered new plans that modified the project to fit within the remaining square footage for the 2000/01 approval period.

Page 3

Following discussion, the Commission continued this matter to April 19, 2001, to allow more time to review the revised plans by both the Commission and the public.

#### SPEAKER(S):

# (+) Timothy Tosta - Steefel, Levitt and Weiss

- He believes that the written materials are detailed and sufficient to achieve the support of the Commission.
- He is available for questions.

# (+) Rev. Townsend

- He endorses and supports this project.

- He has worked closely with the developer and a local neighborhood community based nonprofit corporation who will be negotiating to build housing. The money, which will be allocated to this housing development, will greatly reduce the cost of this housing.

- There is tremendous support for this project.

- We need to start talking about low-income housing. This is not only a good project but the benefits attained from this project are wonderful.
- The non-profit corporation, which will develop housing, is called Agape Outreach Center.

# (+) David Zainer - Plant Construction Company

- They are a union based company.

- The developer has mentioned that if this project is approved they will be able to construct it.
- He would like to see this project go ahead and create more jobs for people.

#### (+) Carmen Johnson

- Founder and Executive Director of Agape Outreach Center.

- They are excited that this developer has made a commitment to invest in a community-based organization and build low-income housing.
- They are excited about the workshops and community meetings they held.

- They are really excited about what they are doing.

- This project will help many people to stop living on the street and be able to get jobs, education and training.
- Please support and approve this project.

ACTION:

Approved

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

MOTION No. 16140

8b. 2000.277BXC

(CRAWFORD: 558-6358)

801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance, for construction of a 12-story building including 136,600 gross square feet of office space. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets. Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

On March 22, 2001, the Commission considered new plans that modified the project to fit within the remaining square footage for the 2000/01 approval period. Following discussion, the Commission continued this matter to April 19, 2001, to allow more time to review the revised plans by both the Commission and the public.

SPEAKERS: Same as those listed for item 8a

ACTION: Approved as amended: Jessie Street to remain open during

construction.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No. 16141

8c. 2000.277BXC (CRAWFORD: 558-6358)

801 MARKET/44 FOURTH STREETS - Assessor's Block 3705 Lot 048, north side of Jessie Street between Fourth and Fifth Streets. Request under Planning Code Section 219.c for professional or business offices not offering on-site service to the public in a C-3-R (Downtown, Retail) District. This project lies within a C-3-R (Downtown, Retail) District and within a 160-S Height and Bulk District. The project will add a third building to the existing Pacific Place buildings I and II above the existing loading dock on the north side of Jessie Street between Fourth and Fifth Streets.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of March 1, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

On March 22, 2001, the Commission considered new plans that modified the project to fit within the remaining square footage for the 2000/01 approval period. Following discussion, the Commission continued this matter to April 19, 2001, to allow more time to review the revised plans by both the Commission and the public.

SPEAKERS: Same as those listed for item 8a

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No. 16142

9a. 1998.281BC (GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing; Lot 5 in Assessor's Block 3803. Request under Planning Code Section 321 for authorization to deduct up to 49,500 gross square feet of office space from the City's office development annual limit Reserve for Smaller Buildings. The property is within a M-2 (Heavy Industrial) District, the Mixed-Use Area of the IPZ (Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District and a 90-X Height and Bulk District. This notice serves as public notification of the Planning Department's initial determination of the net addition of gross square footage of office space under the Planning Code. Please note: This request has been amended. This amended request for office allocation reduces the total amount requested from 120,000 gross square feet of office space to 49,500 gross square feet of office space.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of March 22, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

On March 22, 2001, the Commission considered a revised proposal that would reduce the total square footage of the project to 49,500 square feet. Following discussion, the Commission continued this matter to April 19, 2001, to allow the sponsor to submit new plans, to allow the new project to be properly noticed, and to allow adequate time for Department staff, the Commission, and the public to review the new plans.

SPEAKER(S):

# (+) David Cincotta - Representing Sponsors: McCarthy Cook and Payne Weber

- He would like to talk about the residential portion of this project. The first time a residential portion of this project was considered was many years ago and there was an alternative to study residential. This was in December of 1999. In the last month and a half, there has been more consideration on residential. The most significant reason is seeing the mixed-use reality of Mission Bay. There has been more construction for office and residential space.
- The parking and traffic situation will be addressed through allowed valet parking. They meet the demands for valet parking.
- They have talked to their supporters and they are still in agreement with the new proposal.

- The voluntary contributions for childcare, etc., are still in place.

- The design conditions were worked out with Mission Housing Development.

- Because of the change of the focus of this project, they felt it was an opportunity with a fresh design team. MBH architects are familiar with the area.

(+) Andres Grecci - MBH Architects

- They have been involved with designing Brannan Square, Moma's Restaurant, 177 Townsend Mixed Use project, and they have an understanding of where the neighborhood is going and what it needs.

- They first looked at PacBell Park as a basis of where they should start.

- There were a series of elements, which were very important in attaining the desired design.
- One of these elements was a transitional floor to tie the addition to the existing building.
   This floor occurs in the fourth floor, which would tie the housing and the office elements.
- Another big element was that the towers would break down the long mass of the building with more vertical elements. This building was too horizontal and too long.

- The courtyard, which is between two buildings, needs to be revitalized.

- The building now feels like a whole building instead of an existing building with an addition.
- Linking this building from what it was to what it could be and the changes in the neighborhood is a very important element, and keeping the existing curtain wall does it.

(+) Jeffrey Liebovitz

- He is speaking on behalf of the members of the Rincon Point/South Beach CAC; he would like to thank the project sponsor for considering a resolution to request removing the gates at the end of the wharf along Mission Creek and allow more activities along the wharf such as leashed dog walking.
- This public benefit will help address item 3 of the CUA, where the project sponsor seeks a rear yard exception for residential units. They support the development of the additional 68 residential units.
- This Commission and the developer are giving back to San Franciscans and the public what BCDC mistakenly gave away many years ago in its infancy of the Bay Conservation Development Commission Permit Negotiations process. Today BCDC would never allow public improvements along the waterfront to be closed off with gates.
- This condition will allow for another segment of the continuation of the bay trail and make a natural connection to the shoreline improvements in Mission Bay and along Mission Creek. They are still troubled by the 5-to-8-year time frame in which this action will occur. He would like to have an amendment for the removal of the gates with the completion of the N2 block of Mission Bay or two years after issuance of the CUP whichever occurs first.

# (+) Dick Millet - Potrero Hill

- He has been watching this project for many years and had problems with the building being too tall and the parking problem but this has been resolved.
- The whole community in this area is new.
- He hopes that the overhead wires will be removed, since they didn't show in the renderings, so he assumes that they have taken them out.

# (+) Sue Hestor

- This is a really huge improvement.

- The improvements are stunning and are worthy of the Commissioners' approval.
- The waterfront should be opened up as quickly as possible.

- The nature of China Basin is changing so dramatically.

- This is a much better design.

Approved as amended in conditions of approval regarding design

and timeframe of authorization/scheduling.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

MOTION No. 16143

9b. 1998.281BC

ACTION:

(GORDON: 558-6309)

185 BERRY STREET - bounded by Third, Berry and Fourth Streets and China Basin Landing; Lot 5 in Assessor's Block 3803. Request per Planning Code Section 304 for a Planned Unit Development (PUD) to allow: (1) a Conditional-Use Authorization per Planning Code Section 215(a) and 227(m) for an amendment Case No. 98.281C to allow up to 125 units of housing in a M-2 (Heavy Industrial) District; (2) for an off-street parking exception per Planning Code Section 304(a) to allow valet/attendant parking within the on-site parking garage in order to provide the 230 off-street spaces required under Section 151 of the Planning Code for the project, or in the alternative, allow valet/attendant parking within the on-site parking garage and reduce the parking requirement for the office use to 191 spaces to be consistent with pending South End Office District legislation (would apply to the project site once implemented); and (3) for a rear yard per Planning Code Section 304(a) exception for the residential units proposed at the site (in this case the interior pedestrian courtyard and the air space above is where the rear yard for the proposed units would be located per Planning Code Section 134, there is currently no rear yard situated within the existing development nor would it be physically possible to provide one on the site without removing floors of the adjacent Wharfside building). No rear yard is proposed. The property is within a M-2 (Heavy Industrial) District, the Mixed Use Area of the IPZ Industrial Protection Zone), the proposed Ballpark Vicinity Special District's South End Office District and a 90-X Height and Bulk District. Please note: this PUD amends and combines into one Case Nos. 98.281C, 98.281V and 2001.0179V.

Preliminary Recommendation: Approval with Conditions (Continued from Regular Meeting of March 22, 2001)

NOTE: On March 8, 2001, after public testimony, the Commission closed public hearing. The item was continued at the call of the Chair to March 22, 2001. The item continues to be subject to Commission consideration, deliberation and action.

On March 22, 2001, the Commission considered a revised proposal that would reduce the total square footage of the project to 49,500 square feet. Following discussion, the Commission continued this matter to April 19, 2001, to allow the sponsor to submit new plans, to allow the new project to be properly noticed, and to allow adequate time for Department staff, the Commission, and the public to review the new plans.

SPEAKERS: Same as those listed in item 9a

ACTION: Approved as amended for conditions of approval regarding design

and timeframe of authorization/scheduling.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

MOTION No. 16144

# F. REGULAR CALENDAR

10. 2001.0072C

(DiBARTOLO: 558-6291)

501-503 LAGUNA STREET - northwest corner at Fell Street; Lot 035 in Assessor's Block 0819. Request for Conditional-Use Authorization pursuant to Section 720.83 of the Planning Code to install a total of three antennas within a single cylinder on the roof and five equipment cabinets in the basement of the existing two-story, mixed-use building as part of Sprint's wireless telecommunications network within the Hayes-Gough Neighborhood Commercial District (NCD) and a 50-X Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines, the proposal is a preference 6 (limited preference site). Preliminary Recommendation: Approval with Conditions

### SPEAKER(S):

(+) Robert Crebs - Representing Project Sponsor

- This petition complies with the San Francisco Municipal Code, the WTS Sighting Guidelines and the Federal Communication Commissions Radio Frequency Emissions Standards.
- The design is visually unobtrusive.

- The proposed installation is necessary for this area.

- All sites of a higher preference were considered or pursued yet they were not technologically feasible or not available for lease.
- A CU is allowed if the proposed structure is necessary or desirable for and comparable with the neighborhood and the community.
- This facility will ensure communication when LAN lines are not working and it will increase safety for residents and citizens of San Francisco from wireless phones.
- Bilingual community meetings were held.

(-) Erick Olsen

- He is here to address the health concerns. He is a property owner directly around the corner from the proposed site.
- Although the studies up to date have been inconclusive, there is a certain amount of evidence that there are health hazards with these antennas.
- His main question is what can he do to try to block this or find research, which he can present to the Commission, to deny this project?

ACTION: Approved

AYES: Baltir

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

MOTION No. 16145

#### 11. 2000.1195C

(LI: 558-6396)

547 HOWARD STREET - south side between 1st and 2nd Streets; Lot 110 in Assessor's Block 3736. Request for Conditional-Use Authorization pursuant to Section 219(d) of the Planning Code to establish an office use at the ground floor level which will not offer onsite services to the general public within the C-3-0(SD) (Downtom Office Special Development) District and a 350-S Height and Bulk District. The proposal is to demolish the existing two-story-over-basement office building and construct a five-story-over-basement office building containing approximately 11,000 square feet of gross floor area. Preliminary Recommendation: Approval

#### SPEAKER(S):

#### (+) Steve Vettel - Morrison and Forrester

- The only issue in this CU is if it's appropriate to have the office space extend to the ground floor and basement. They believe it is. The site is so small that it is not feasible for the ground floor to be used for non-office uses.
- The site is only 25 feet wide.
- Part of the ground floor is taken by the exit stairway.

- There is no other frontage for retail or personal use.
- The only option is to have the office space extend to the basement.
- It is not practical to have a mixed-use building.
- The open space requirement on this site is only 230 sf. Because the site is so small and so constrained it is not feasible to put that on the ground floor of the site.
- The most feasible thing to do is to extend the sidewalk and put in some benches and some landscaping.

# (+) Jim Tanner - Tanner Architecture

- One of the things that happen in the front of the building is that this building does not have any access anywhere other than through the front of the building. Two exits are required by the Building Department. One exit is through a corridor. The second exit is through the back of a stair. By code this exit is allowed to go through the office space lobby. If there was a retail functions on the ground floor, it would have to have it's own exit
- There is less than 20 feet of frontage to do this.

ACTION: Approved as amended: "Sec. 309" to be brought before the

Commission after it is properly noticed.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

MOTION No. 16146

12a. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Request for a Conditional-Use Authorization to allow the construction of two dwelling units in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer, per Planning Code Section 215(a) and Planning Commission Resolution No. 14861, and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions (Continued from Regular Meeting of April 5, 2001)

# SPEAKER(S):

#### (+) David Silverman - Reuben and Alter

- This application was filed over a year ago and has gone through many changes.
- The project complies with all the IPZ resolutions, residential requirements, no variances are required, etc.
- This will be a positive contribution to the neighborhood.
- He, as well as the project architect, is available for any questions.

#### (+) Bill Minky

- He owns the warehouse at 1050 Mississippi.
- This project will be an improvement all around.

# (-) Dick Millet - Potrero Boosters

- Are there any drawings of this building?
- Was a 311 notice ever sent out?
- The building is too large and the parking doesn't work since the entrance is too narrow.
- He has a problem with the fact that the two lower floors are 100% lot coverage and the windows are set back for light and air.
- The buildings next door are lower than this project.
- The east side of Mississippi Street is big and brutal.
- There is too much PDR in this project. It's designed as a loft. The elevator access doesn't work either. The units, which will be for sale, will have two cars and this can cause problems in the parking area.

# (-) Elena Myers

- She lives on Mississippi.
- She is also concerned about the height of the building. They look like lofts.
- She would like to have a restriction imposed so there is no overnight sleeping in the industrial units. This would protect them from the overuse of size in residential.

- The street is very jammed during the day. This project should have its own loading dock.

(-) Favian Lanov

- The 12-foot door is in compliance and is a requirement by the City.

- There is no problem for cars to move in and out of the garage.

Public Hearing Closed. Project continued to April 26, 2001. Public ACTION: hearing will be open to address the parking problems/solutions.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

12b. 2000.264CD (MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Staff-initiated request for Discretionary Review for the demolition of an existing, vacant industrial building and construction of housing and space for production, distribution and repair businesses in an existing industrial building space in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer per Planning Commission Resolution Nos. 14861 and 16079; and a 40-X Height and Bulk District. NOTE: This project was previously noticed for hearing on February 22, 2001, and has since been modified. The previous notice stated that the ground and second stories would be occupied by office space.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of April 5, 2001)

SPEAKER(S): Same as those listed in item 12a.

ACTION: Public Hearing Closed. Project continued to April 26, 2001. Public

hearing will be open to address the parking problems/solutions.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

#### G. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately 3:30 p.m. the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

13. 2000.1274DD (TAM: 558-6325)

1851-31ST AVENUE - west side of 31st Avenue, between Noriega and Ortega Streets. Lot 11 in Assessor's Block 2068. Request for a Discretionary Review of Building Permit Application No. 2000/07/13/5054S to demolish an existing 11-foot, one-story horizontal extension and to construct a two-story horizontal extension approximately 37 feet (including stairs) at the rear of an existing two-story, single-family dwelling in an RH-1 (Residential, House, One-Family) District, and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the project with

modifications.

#### SPEAKER(S):

#### (-) Ambrose Luck - DR Requestor

- He has lived in his home since 1988.
- The reason he is here is because he received notification that his neighbor would extend his property in the rear yard.
- He was surprised because when he purchased his property in 1988, he found out about the zoning in the area and realized that his neighbor's house had illegal rooms.
- His property suffered a fire and he has lived in it since then.
- His neighbor never uses the garage door to park their cars.
- He found out that the electrical permit hasn't been approved since the fire.
- With all the space they have their request is not logical since his neighbor's kids are older now.

- The whole basement in his neighbor's house is illegal.
- (-) Sandra Wong DR Requestor
- Her house is adjacent to the subject property.
- She requested that her neighbor not construct an extension.
- She will agree to an extension only if the recommendations from the Planner are imposed: 1) reduce the two-story horizontal extension from 30 feet to 25 feet so that subject property will not be out of character with the neighborhood; 2) increase setback from 3 feet to 4 feet in accordance with the residential design guidelines; 3) eliminate all side facing windows on the proposed extension to ensure neighbor's privacy; 4) issue a notice of special restrictions so that proposed extension will not be used as a separate unit
- She stresses the setback to be important because if the extension is not set back, the rear yard boundary fence will have to be moved 3 inches over onto her property. This would have a big impact on her since it would cause an impact on air, light and privacy.
- She agrees with the planner's recommendations and if these recommendations were put forth she would have no problem with the construction of the extension.

### (-) Shirley Luck

- She lives at 1847 31st Avenue.
- Her objection is that the neighbors will construct something legal from an illegal construction.
- In the past, the neighbors have not applied for permits; that's why there is an illegal construction.
- Her home suffered a fire and her car was burned because of her neighbor.
- Her neighbor will build a kitchen in the basement because there is an elderly person living there and this is very dangerous.

#### (-) Mable Wong - DR Requestor

- Throughout the years, her neighbors and their contractors and handyman have done construction without permits.
- Most of the time she is not home but when she comes home her neighbor and their contractor do construction work yet walk all over her property.
- If the extension is built, this will cause a negative impact on her property.
- Her neighbor is constantly constructing even on Saturdays.
- Her neighbor's house should be monitored by the Building Department because there is a lot of illegal construction going on.

# (+) Ahmad (last name unclear) - Representing Project Sponsor

- He has been making many calls, between the planner and the sponsor and the neighbors.
- Displayed a photograph of the subject property.
- He has been working with the planner and agrees with her recommendations.
- The only issue he is not in agreement with is to have a 4-foot side reduction, reduce it to 3 feet.
- The project sponsor has paid the penalties for the illegal construction.
- The square footage of the home is quite small.

# (+) Sue Wong - Project Sponsor

- Although her neighbors are describing her as a bad person, she is not.
- She believes that there is bad communication.
- It is impossible for her to move the fence by herself.
- She does admit that she installed an illegal kitchen in the basement because she is supporting her parents that live there.
- She is a business owner so she is a very responsible person.
- She would like the Commission to approve the plans.

#### ACTION:

Take DR and approve with staff recommendations: 1) reduce the two-story horizontal extension from 30 feet to 25 feet so that subject property will not be out of character with the neighborhood; 2) increase setback from 3 feet to 4 feet in accordance with the residential design guidelines; 3) eliminate all side-facing windows on the proposed extension to ensure neighbor's

privacy; 4) issue a notice of special restrictions so that subject extension will not be used as a separate unit. Add an amendment stated by Commissioner Chinchilla: Project Sponsor is to complete a site survey to establish the location of the property lines. The project Sponsor is to share this information with the adjacent neighbors.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

#### 14. 2001.0220D

(B.WASHINGTON: 558-6263)

<u>2625 – 23RD AVENUE</u> - west side of 23rd Avenue, between Vicente Street and Wawona Street; Lot 003 in Assessor's Block 2473. Request for a Discretionary Review of Building Permit Application No. 2000/11/13/5509s, proposing to enclose an existing lightwell located on the northern side of an existing single-family dwelling. The proposal also includes an infill under the existing second floor. The proposed alteration occurs within the permitted building envelope in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as submitted.

# SPEAKER(S):

#### (-) Michael Davis - Representing DR Requestor

- Staff recommendation is based on many false premises: the significance of the light source, and the planning policy issues involved.
- The pictures displayed by the planner are misleading.
- In light of the current energy crisis, construction that uses exterior light source should be encouraged rather than be eliminated.
- Issues that were requested in the DR request have not been dealt with.
- -The Residential Design Guidelines were not followed.
- -There are a number of false issues related to permits and non-permitted construction.
- The project sponsor has implied that this is new construction when it really is not.

#### (-) Stan DeBella - Owner of adjacent property

- He displayed photographs, which were displayed by the planner and explained that the window that is on the lightwell is providing most of the light in the bathroom.
- The dining room window is brightly lit and that all the other detail is being washed out. This is the only significant light source.
- There is a window in the dining room which is facing east but the next house is blocking it.
- The sponsor proposes to increase his kitchen space at his expense. There are windows that already existed.

# (+) Joan Ryan - Project Sponsors

- They believe that their project is in compliance with all the codes.
- Mr. DeBella's parking concern has been resolved by the adding of a structural steel beam in their garage level. This would provide two off-street parking spaces as well as one in their driveway. This would effectively create 3 off-street parking spots.
- Professionals have designed the project.
- Accordingly, their family room downstairs is not a defacto 2<sup>nd</sup> unit. It has been designed in compliance with regulations.
- Their lightwell is not in their property grant deed as an easement for his property line windows or exterior plumbing.
- The dining room window and toilet room window will be affected. Both rooms have other windows, which are larger and operable.
- There are other windows, which will not be affected by the construction.
- Mr. DeBella's copper piping is only accessible by their light well and with a ladder. This work was not done with a permit. Mr. DeBella's toilet room window, which is a property line window, was done without a permit as well.
- They have tried to resolve issues with Mr. DeBella and his family through personal dialogue as well as with the San Francisco Community Board.

- They have also offered compensation for the closing of the dining room window.
- They enjoy living there but the flat has become quite small for their growing family.
- With the enlargement of their kitchen, they realize that they will be impacting their neighbor's house. They are sensitive to this and are willing to compensate their neighbor for this.

# (+) John O'Sullivan - Project Sponsor

- They would like the Commission to approve their project since it's in conformance with the Planning Code.
- The property line windows at his neighbor's house are redundant.
- Mr. DeBella asked him for permission to go through his light well and look at the plumbing. He didn't know that the work did not have a permit.

#### (+) James DeVoy - Project Architect

- There is a letter that he sent to the Planning Department which states that there is no way to verify when the lightwells were constructed.
- The property line windows were completed after his client's lightwell was created.

ACTION:

Do not take Discretionary Review and approve project with staff recommendation that a Notice of Special Restrictions will be recorded with the property. The NSR will state that the downstairs addition will not be converted into an illegal separate unit.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

#### H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

#### SPEAKERS:

# 1. James Meyers

Re: 25 Rio Way

- There is a DR matter next Thursday and he showed a picture of the property. This project is located at 25 Rico Way in the Marina District. Many homes have an "established Marina home style." Yet this home does not attempt to keep within the Marina style. It appears to be an "ultra modern" design.
- He lives at 27 Rico Way. There are many homeowners that are concerned about this project.
- The owners of 25 Rico Way obtained 15 or 17 homeowners stating that they were in support of the property. But unfortunately, the project sponsor mentioned that he (James Meyers) was in support of the project. So when the rest of the neighbors knew that he was in agreement, they signed the support petition.

#### 2. Patricia Vaughey

Re: Orientation Courses are important to the Department

- She has discovered that many planners have gone through "indoctrination" courses yet others have not.
- These orientation courses are very important.
- If a planner has not gone through any orientation courses, they should.

Adjournment: 5:15 p.m.

-10 4/26/01

# SAN FRANCISCO PLANNING COMMISSION

# **Meeting Minutes**

Commission Chambers - Room 400 City Hall, 1 Dr. Carlton B. Goodlett Place Thursday, April 26, 2001

1:30 PM

DOCUMENTS DEPT.

**Regular Meeting** 

JUN 2 0 2001

SAN FRANCISCO PUBLIC LIBRARY

PRESENT:

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT THEOHARIS AT 1:48 p.m.

STAFF IN ATTENDANCE: Gerald G. Green, Director of Planning; Larry Badiner, Zoning Administrator; Daniel Pulon; Pedro Arce; Kelley LeBlanc; Rick Crawford; Judy Martin; Michael Li; Susan Snyder; Thomas Wang; Augustine Fallay; Craig Nikitas; Dario Jones; Nora Priego, Transcription Secretary; Linda Avery, Commission Secretary

#### A. ITEMS PROPOSED FOR CONTINUANCE

1998.927C

 40 WOODWARD STREET
 - west side between Dubose and 14th Streets, Lot 048 in Assessor's Block 3532. Request for Conditional-Use Authorization to renew a nonconforming use (storage warehouse) under Planning Code Section 185 in a RM-1 (Residential, Mixed) Zoning and a 50-X Height/Bulk District. No construction, alteration, expansion of the existing building or use is proposed.
 Preliminary Recommendation: Pending
 (Proposed for continuance to May 10, 2001)

SPEAKER(S): None

ACTION: Continued to May 10, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

2. . 2000.1061E

(WYCKO: 558-5972)

400 PAUL AVENUE - bounded by Paul Avenue, Third Street, Bayshore Boulevard and railroad spur track, Lot 14 of Assessor's Block 5431A. The proposal is an **Appeal of a Preliminary Negative Declaration** for the demolition of an existing, 40-foot-high warehouse/distribution building, which totals approximately 89,400 gross square feet to be replaced by a newly constructed 65-foot-high structure with 339,300 gross square feet of space for Internet and telecommunication equipment and 155 off-street parking spaces. The proposed facilities would be warehouses for telecommunication switches and operational equipment that provides data services to Internet users. The proposed project is an allowed use within M-1 District and is situated within an Industrial Protection Zone.

Preliminary Recommendation: Uphold Preliminary Negative Declaration (Continued from Regular Meeting of April 12, 2001) (Proposed for continuance to May 17, 2001)

SPEAKER(S): None

ACTION: Continued to May 17, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

 2000.1061C (MARTIN: 558-6616) 400 PAUL AVENUE - north side between Third Street and Bayshore Boulevard, Lot 014 in Assessor's Block 5431A. Request for a Conditional-Use Authorization to demolish an existing industrial building which has not been vacant for more than fifteen months, in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone, per Planning Commission Resolution No. 14861 and a 65-J Height and Bulk District. Preliminary Recommendation: Pending

(Continued from Regular Meeting of April 12, 2001) (Proposed for continuance to May 24, 2001)

SPEAKER(S): None

ACTION: Continued to May 24, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

4. 2000.1165B (BRESSANUTTI: 558-6892) <u>2 HENRY ADAMS STREET</u> - west side between Division Street and Alameda Street; Lot 1 in Assessor's Block 3910. Request under Planning Code Sections 320-322 for project authorization of an office development consisting of the conversion of up to 49,900 square feet in an existing building (San Francisco Design Center) from wholesale design showroom space to office space. This notice shall also set forth an initial determination of the net addition of gross square feet of office space, pursuant to Planning Code Section 313.4. The subject property is located in an M-2 (Heavy Industrial) District and the Industrial Protection Zone, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of April 5, 2001) (Proposed for continuance to May 24, 2001)

SPEAKER(S): None

ACTION: Continued to May 24, 2001

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

#### B. COMMISSIONERS' QUESTIONS AND MATTERS

Consideration of Adoption - draft minutes of March 15, 2001

SPEAKER(S): None

ACTION: Approved as revised

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

NOTE: CANCELLATION OF MAY 3, 2001 HEARING

ACTION: Hearing cancelled at the call of the chair.

6. Commission Matters

Commissioner Theoharis:

She received a letter from the Union Square Business Improvement District. There have been a lot of complaints about a mesh signage at the construction site of the French Connection (Ellis and Powell). She would like to know if the mesh is there as signage or to protect the public from the construction. She would like to have a report at the May 10, 2001 hearing. There is also a trademark issue but this is not part of the jurisdiction of the Commission.

#### C. DIRECTOR'S REPORT

7. Director's Announcements

- Congratulated Mr. Pedro Arce on his retirement and acknowledged his contributions to the Planning Department.
- 8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals **BOS** 
  - Supervisor McGoldrick, at a past hearing, suggested that a hearing be held at the Land Use Committee on residential design guidelines. The Planning Director and the Zoning Administrator will attend this hearing. If there are any items that the Commissioners would like the Planning Director to include, please let him know.

**BOA** - None

#### D. REGULAR CALENDAR

9. (ARCE: 558-6332)

COW HOLLOW NEIGHBORHOOD DESIGN GUIDELINES – Public Hearing and consideration of adoption of design guidelines for the Cow Hollow Neighborhood.

#### SPEAKER(S):

- (+) Brooke Sampson
- It has been a pleasure to work with Mr. Arce.
- The Cow Hollow Association is in full support of the guidelines. There are many people here from the neighborhood that are in support of the guidelines.
- The guidelines have been modified by the suggestion of the Planning Department.
- She thanked Commissioner Theoharis for working so hard in organizing neighborhoods to develop quidelines.
- She thanked many of the department staff that has been so helpful and supportive of this undertaking.

#### (+) Charlotte Maeck

- She has been involved with neighborhood zoning for about 40 years.

- She thanks the Commission and the department for their support of this proposal.

- She hopes that this will come to fruition this evening.

She remembers when Commissioner Theoharis was actively working with neighborhoods.

ACTION:

Guidelines Adopted adding the following clause from the Zoning Administrator: "not only available for purchase to prospective purchaser and/or developers, but to residents, owners and the general public."

Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis AYFS:

RESOLUTION No. 16147

10. 2000.765E

(PULON: 558-5978) 67-69 TURK STREET - Appeal of Preliminary Negative Declaration: The proposed project would construct a mixed-use building on the southeast corner of Turk and Taylor Streets. The proposed building would be approximately 96,984 gross square feet (gsf), accommodating 12,432 gsf of mechanical and maintenance space in the basement floor; 7,207 gsf of retail on the ground floor; 40,484 gsf of parking on floors 2-4; and 36,861 gsf of office on floors 5-7. The tenant-parking garage would provide 76 parking spaces, without any loading spaces. The building would be 106 feet tall. Vehicular site access to the proposed parking garage would be from Taylor Street, Pedestrian street-level site access to the retail and office spaces would be from Turk Street. The existing 84 parking spaces on a surface- and basement-level garage would be demolished. The project site, approximately 12,940 sf, is on Assessor's Block 0342 and Lot 011, in a C-3-G Zoning District and a 120-X Height and Bulk District.

Preliminary Recommendation: Uphold Negative Declaration.

(Continued from Regular Meeting of April 5, 2001)

#### SPEAKER(S):

Comments on Continuance:

#### **Andrew Junius**

- Ms. Hestor has requested a continuance based on the fact that she did not receive a case report. Ms. Hestor is aware that the material is available at the Planning Department a week before the hearing. She could have also called the planner and asked for a case report.
- They are not in agreement to the continuance.

#### Sue Hestor

- The parties are supposed to be mailed a brief.
- This is sloppy work from the planner
- She is ready to have the hearing since the item will not be continued.

#### SPEAKER(S):

# (-) Sue Hestor - Appellant (representing various Tenderloin residents)

- One of the biggest problems is the way staff summarized their issues.
- The issues are that when there are loading activities not only is the parking lane occupied but also the traffic lane--either because there are vehicles double-parked or because there are items being brought into the theatre.
- There is a lost traffic lane on the east side of Taylor Street.
- When people get off the freeway and go down 6th Street towards Market, because it's a strange intersection, there are many cars that are involved.
- There is a big jumble of traffic mess.
- All they are asking is for staff to do an analysis of traffic on Turk Street.
- They want an honest analysis of the traffic patterns.

# (-) David Baker

- He is a long time resident of the Tenderloin. He lives a block from the proposed site.

- This area has suffered from traffic problems for many years.
- There should be an analysis done of what counts and what is important: is it pedestrians, the public, etc.
- He is not asking much. An entrance on Turk Street instead of an entrance on Taylor Street should be considered.

# (-) Brother Collins

- There is a lot of chaos on Taylor Street.
- During the mornings, there are cars double-parked at a grocery store. The Orpheum Theatre has traffic that double parks as well.
- He sometimes has to jaywalk because of so much traffic.
- He is not in disagreement of the project. He would just like to have a traffic analysis done or just have the entrance moved. The design could be improved as well.
- He challenges the parking study. He has been living and working in the neighborhood for many years and the results of the study are not what he sees.
- His organization has had to find parking for their six cars, which becomes quite difficult. St. Anthony's Foundation has had to look for parking of their four cars as well.

#### (-) Ernestine Weiss

- She travels on the No. 33 bus. The streets in the neighborhood are not wide and they are very dangerous.
- She would like to have the entrance of this building on Turk Street.
- Parking garages should be built underground.

# (+) Andrew Junius - Reuben and Alter - Representative of Project Sponsor

- The negative declaration was based on the requirements of CEQA.
- The project has no significant effects on the environment.
- CEQA requires that a project be focused on the project. None of the statements made at this hearing have to do with the environment.
- The Turk Street entrance would cause more significant problems.
- The impacts on the project state that the transportation studies during peak hours are worse.
- He spoke to one of the managers of the Orpheum Theatre and also looked in the Pink Section of the Chronicle and in the next month there will only be 5 shows at the theatre. When an analysis could be done is not certain since there will not be many shows in the next month.
- He is available for questions.

ACTION: Negative Declaration Upheld

AYES: Baltimore, Chinchilla, Fay, Salinas, Theoharis

NAYES: Joe MOTION No: 16148

11a. 2000.190<u>B</u>X

<u>201 SECOND STREET</u> - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Sections 320-325 for authorization to deduct up to 44,500 square feet of office space from the City's Office Development Annual Limit. The proposal is for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meetings of February 8, 2001 and March 8, 2001, and Renoticed for March 15, 2001, because of change in project description. Project added two stories and 9,500 square feet of office space by request of applicant.)

(Continued from Regular Meeting of April 5, 2001)

(LeBLANC: 558-6351)

SPEAKER(S):

(+) Jim Reuben - Reuben and Alter - Representing Project Sponsor

- This is a construction of an office building being built where it should be.

- The developer is the same developer of 235 Second Street.

- (+) Jim Tanner Project Architect
- He has been working for a project on this site for many years.
- They have been asked by new clients to design a new building.
- The building is an interface from the financial district to the South of Market Area.
- He described all materials used for the building and displayed a rendering of the proposed building.
- There will be a landscaped area.
- 21,000 square feet of open space will be available.
- There is a location for public art as well.
- The south elevation of the building is the one that most concerns him. There is a four-hour firewall.
- The Second Street view is of concern to the neighbors.
- They tried to use a lot of glass.
- They tried to make a small building have a vertical emphasis and compatibility with neighboring buildings.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No: 16149

11b. 2000.190BX

(LeBLANC: 558-6351)

201 SECOND STREET - southeast corner of Second Street and Howard Street, Lot 97 in Assessor's Block 3736. Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and Exceptions, including an exception to the setback requirements of Section 132.1 of the Code for the construction of a 12-story, 160-foot-tall building with a total of approximately 60,000 gross square feet including up to 44,500 square feet of office space and approximately 7,700 square feet of retail and/or restaurant space. The project also includes a minimum of 1,020 square feet of open space. This project lies within a C-3-O(SD) (Downtown Office, Special Development) District and within the 350-S Height and Bulk District.

Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of February 8, 2001, and March 8, 2001, and Renoticed for March 15, 2001, because of change in project description. Project added two stories and 9,500 square feet of office space by request of applicant.)

(Continued from Regular Meeting of April 5, 2001)

SPEAKER(S): Same as those listed for item 11a.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No: 16150

12. 2000.613<u>X</u>C

(CRAWFORD: 558-6358)

425 BATTERY STREET (aka 418 CLAY STREET) (BATTERY STREET HOTEL) - Assessor's Block 206 Lots 003, 004, 005, west side of Battery Street between Clay Street and Merchant Street. Request under Planning Code Section 309 (Downtown Code) for Determination of Compliance, and for exceptions as provided under Section 309.a to (1) allow no tour bus loading space where one such space is required and to (2) allow no setback from the interior property lines above the 90-foot building base where a 15-foot setback is required. This project lies within a C-3-O (Downtown, Office) District and within a 200-S Height and Bulk District. The project will demolish three existing mixeduse office/retail buildings and construct an eleven-story hotel with up to 348 rooms and ground-floor retail.

Preliminary Recommendation: Approval with conditions

Note: On April 12, 2001, following public testimony the Commission closed the public hearing. A motion of intent to approve failed to carry by a vote +3 –1. Commissioner Chinchilla voted no. Commissioners Fay and Joe were absent. The matter was continued to April 26, 2001, by a vote +4 –0. Commissioners Fay and Joe were absent.

#### SPEAKER(S):

- (+) Jim Reuben Reuben and Alter Representing Project Sponsor
- He recalls that the public hearing is closed except for the open space.
- He heard the Commission's concerns and talked to representatives of the Chinatown Economic Development Group.
- They have spent some time upgrading the rooftop open space recognizing that it's highly unlikely that they will build this open space if the variance is not granted.
- He is available to show photos of this open space to the Commission.

#### (-) Ernestine Weiss

- Their neighbors, Golden Gateway Center, never received notice of this hotel going up. Several members passed by the Yank Sing restaurant and saw a notice that a hearing had been held. These members were not able to come to that hearing since they did not know about it.
- There is an over supply of hotels, the economy is down so there is no need for a hotel at this time. Housing, housing, housing is the most important issue now.
- We do not need that many hotel rooms.
- People should be notified of huge developments.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No: 16151

### 13. 2000.277XC

(CRAWFORD: 558-6358)

425-427 BATTERY STREET (aka 418 CLAY STREET) (BATTERY STREET HOTEL) - Assessor's Block 206 Lots 003, 004, 005, west side of Battery Street between Clay Street and Merchant Street. Request under Planning Code Section 219.b.ii for a hotel with up to 348 rooms. This project lies within a C-3-O (Downtown, Office) District and within a 200-S Height and Bulk District. The project will demolish three existing mixed-use office/retail buildings and construct an eleven story hotel with up to 348 rooms and ground-floor retail.

Preliminary Recommendation: Approval with conditions

Note: On April 12, 2001, following public testimony the Commission closed the public hearing. A motion of intent to approve failed to carry by a vote +3 -1. Commissioner Chinchilla voted no. Commissioners Fay and Joe were absent. The matter was continued to April 26, 2001 by a vote +4 -0. Commissioners Fay and Joe were absent.

SPEAKER(S): Same as those listed for item 12.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No: 16152

#### 14. 2000.1232C

(MARTIN: 558-6616)

435 HARRIET STREET - east side between Brannan and Townsend Streets, Lot 077, Assessor's Block 3784. Request for Conditional-Use Authorization under Section 817.73 of the Planning Code to install a total of three (3) panel antennae to be mounted inside the top of a new flagpole to be located at the north corner of the existing building, with the base transceiver station to be located on a platform to be screened within the building, as part of a wireless communication network in an SLI (Service/Light Industrial) Zoning District and 50-X Height and Bulk District. The Project Site meets Location Preference

Number 4 (Preferred Location Site) of the Wireless Telecommunications Services (WTS) Facilities Siting Guidelines, as it is within an industrial structure.

Preliminary Recommendation: Approval with conditions

# SPEAKER(S):

(+) Robert Krebs - Representing Project Sponsor

- This site complies with the WTS Sighting Guidelines and the San Francisco Municipal Code.
- Three antennas would be installed in a flagpole and screened from view.

- This is an important site to provide better service for this area.

- They looked at other locations but none were feasible. Many sites were vacant sites and it would not be appropriate to just have a flagpole on a vacant site.
- A community meeting was held and no one attended the meeting. The notice for the meeting was sent out to various residents and property owners in various languages.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No: 16153

15. 2001.0180C

(LI: 558-6396)

601-603 LARKIN STREET - northwest corner at Eddy Street; Lot 008 in Assessor's Block 0740. Request for Conditional-Use Authorization pursuant to Section 249.5(d)(4)(C) of the Planning Code to establish a retail liquor store within an RC-4 (Residential-Commercial Combined, High Density) District, the North of Market Residential Special Use District, and an 80-T Height and Bulk District. The proposal is to allow Fox Liquors to move from its current location at 581-585 Eddy Street (aka 570 Larkin Street). Preliminary Recommendation: Approval

# SPEAKER(S):

# (-) Alias (last name unclear)

- He is just trying to relocate his liquor store.

- The size of his liquor store will be reduced yet everything will remain the same.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, Theoharis

MOTION No: 16154

#### E. SPECIAL DISCRETIONARY REVIEW HEARING

At Approximately **3:30 p.m.** the Planning Commission convened into a Special Discretionary Review (DR) Hearing to hear and act on Discretionary Review matters.

16. 2000.264QD (MARTIN: 558-6616) 1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Request for a Conditional-Use Authorization to allow the construction of two dwelling units in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer, per Planning Code Section 215(a) and Planning

Commission Resolution No. 14861, and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with conditions

(Continued from Regular Meeting of April 5, 2001)

NOTE: On April 19, 2001, following public testimony, the Commission closed Public Hearing and continued the matter to April 26, 2001, to explore alternative parking solutions. Public Hearing will be open to address this issue only.

# SPEAKER(S):

(+) David Silverman - Reuben and Alter - Representing Project Sponsor

- He submitted revised parking information.

- He is available for questions.

#### (-) Max Schmeder

- He has been living on this block since 1981.
- The one-story project will create a lot of traffic problems.
- The concerns they have are regarding expanding--adding spaces to the plan. He referenced a diagram of the parking issue.
- The spaces are not big enough and there aren't enough of them.
- Under regulations, businesses have overnight caretakers. If they moved into these units it would become a residential building and would still cause parking problems.
- A four-unit residential building should be considered.

# (-) Dick Millet - Potrero Boosters Neighborhood Association

- The attorney for the project sponsor sent him the revised parking information. At first he didn't have a problem but now he does.
- Parking does not work. It will be difficult to get a car in and cars out.
- He recommends taking a bathroom and moving it next to the men's bathroom and moving the wet bar into the office. This would give five more feet.

#### (-) Elena Myers

- One of the very large businesses on the block has created a lot of problems because they have huge trucks coming and going.
- They have acknowledged that this is a residential neighborhood.
- The Commission needs to look at this as a residential project.
- There are already lofts on the block.
- This project needs to have four parking spaces. There aren't enough street spaces to accommodate all the cars.
- Two cars per unit should be considered.

ACTION: Approved

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

MOTION: 16155

# 17. 2000.264CD

(MARTIN: 558-6616)

1087 MISSISSIPPI STREET - east side between 23rd and 25th Streets, Lot 049 in Assessor's Block 4224. Staff-initiated request for Discretionary Review for the demolition of an existing, vacant industrial building and construction of housing and space for production, distribution and repair businesses in an existing industrial building space in an M-1 (Light Industrial) Zoning District and the Industrial Protection Zone Buffer per Planning Commission Resolution Nos. 14861 and 16079; and a 40-X Height and Bulk District. NOTE: This project was previously noticed for hearing on February 22, 2001, and has since been modified. The previous notice stated that the ground and second stories would be occupied by office space.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Continued from Regular Meeting of April 5, 2001)

NOTE: On April 19, 2001, following public testimony, the Commission closed Public Hearing and continued the matter to April 26, 2001, to explore alternative parking solutions. Public Hearing will be open to address this issue only.

SPEAKER(S): Same as those listed for item 16.

ACTION: Take DR and approve project with the following amendments:

move women's bathroom next to the men's bathroom and move the

wet bar into the office.

AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

18. 2001.0206D

(S. SNYDER: 558-6543)

754 GATES STREET - last lot on the west side of Gates Street, south of the intersection of Gates Street and Crescent Avenue, on Lot 14 of Assessor's Block 5813, requesting Discretionary Review on an application proposing to construct a new single-family

dwelling on a vacant lot in an RH-1 (Residential, House, Single-Family) District and a 40-X Height and Bulk District, and within the Bernal Heights South Slope Study Area. Subject to mandatory Discretionary Review per Planning Commission Resolution 14973. Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None

ACTION: Do not take DR and approve project as submitted
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

19. 2000.734D (WANG: 558-6335)

255 SAN MARCOS AVENUE - south side on the west of Santa Rita Avenue; Lot 026 in Assessor's Block 2882. Request for Discretionary Review of Building Permit Application No. 2000/08/22/8494. The proposal is to demolish an existing attached garage and a portion of the current dwelling and construct a new attached garage and a second floor vertical addition, at the existing two-story, single-family dwelling in an RH-1 (D) (Residential, House, One-Family, Detached Dwellings) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

#### SPEAKER(S):

# (-) Harold Wright - Forest Hill Neighborhood Association (FHNA)

- There are new homes and extensive additions without any problems.
- Many of the better homes are built on large lots.
- This is the first time that anyone would like to demolish his or her home to subdivide the lot.
- They wouldn't object to a subdivision of a vacant lot. They are opposed to demolishing a home just for subdividing a lot.
- Since the lot is steep the back yard is unusable.
- The current owners have not maintained the house for 14 years. The paint is peeling and the garden is uncared for.
- The owners want to demolish the most interesting part of the front façade.
- The garage is proposed to be moved and subdivide the house at the left side of a gate.
- The owners have conveniently decided that only the left side of the house is architecturally significant.
- Their directors (FHNA) voted to not approve the demolition but construct an addition to the house instead.
- There are not that many neighbors that approve the demolition. They would rather have the house preserved.

# (-) Kay Yanemoto - Secretary of the Forest Hill Neighborhood Association

- She strongly opposes the demolition of this house.
- The organization has held public meetings and everyone was invited to attend.
- This project is bad for Forest Hill and she asks the Commission to oppose it.

#### (-) Gaile Robbins

- The traffic would be increased in the neighborhood since 2 homes will be added.

# (-) Radolf Scott

- He lives on San Marcos Street.
- This street is a split-level street.
- He feels very strongly about preserving the character of the neighborhood.
- He was approached by Dr. Kelly soliciting his approval and endorsement of the project. Nowhere does it clearly state what the approach will be.

#### (-) Tom Grassof

- He is opposed to this project because it will increase traffic on the street since it is a small street.

# (+) John Sanger - Sanger and Olsen - Representing Project Sponsor

- This project would demolish a large portion of the house and subdivide the lot.
- This opposition is only for the subdivision and not if the project follows the residential design guidelines.
- When the project sponsor purchased the home they were notified that there were two lots they were purchasing.
- The construction will be in conformance to the residential design guidelines and it will not cause blockage of light and air.
- There is no basis to take DR. There is nothing in any of the plan remodeling which will be in conflict with the residential design guidelines.

#### (+) Albert Lanier - Project Architect

- They have never had any problems with DR's and especially in Forest Hill.
- Various neighbors are in agreement with this home.
- The garage was severely damaged in the 1989 Loma Prieta earthquake.
- The project sponsors really like the house.
- They intend to respect every design feature, which has been done.
- He would like the Commission to deny this Discretionary Review and approve the project.

#### (+) Dr. Kelly

- He and his wife own the house on San Marcos Street--which is the subject property.
- It is difficult for him to speak about the exaggerations of the Forest Hill Association.
- The lot was originally two lots.
- Has been waiting and waiting to receive notice from the neighborhood association to attend their meeting.
- He received a call from the Association and they stated that they had already met and were in disagreement with his project.

ACTION: Take Discretionary Review and Disapprove Project
AYES: Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

20. 2000.046D

(FALLAY: 558-6367)

<u>2147 29TH AVENUE</u> - west side between Quintara and Rivera Streets; Lot 012 in Assessor's Block 2188. Request for Discretionary Review on Building Permit Application No. 9912564 requesting to allow construction of a third-story, vertical addition to an existing two-story, single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District was denied. The Planning Commission, on January 11, 2001, took Discretionary Review and recommended to the Project Sponsor to construct a rear horizontal extension instead.

Preliminary Recommendation: Approve horizontal extension in lieu of a vertical addition per Planning Commission's decision.

#### SPEAKER(S):

#### (-) Michael Dolan

- He lives next door to the proposed construction.
- He passed out a letter from the FBI
- The Declaration of Independence reads that everyone has the right to life, liberty and the pursuit of happiness.
- If the proposed construction goes ahead, it would mean the devaluation of his property where he has lived for the past 42 years.
- He was not notified of the hearing in January.
- He submitted the letter he read to the Commission.

#### (+) Mr. Edwin Yuen

- He is here to follow guidelines from the previous hearing.
- The addition is up to code. He and the architect spoke to staff in order to know what is allowed by the code.
- They have lived in this house for three generations. It has been a long two years and hopes that it will end today.

#### (+) John Jay

- He owns a real estate company. He is here to speak in support of this proposal.
- Mr. Yuen has responded to the exact details of the proposal from the Commission.
- He hopes that the Commission will approve the project.
- This construction will create greater value to Mr. Dolan's property

## (+) Michael Klestoff

- He lived on 27th Avenue for many years.
- He likes the area a lot.
- Mr. Yuen has shown courtesy and kindness to his neighbors and has tried to make more than a sufficient effort to mitigate the neighbors' concerns.
- He hopes the Commission won't put Mr. Yuen to more aggravation.

#### (+) Nelson Li

- He is 13 years old and shares the same room with his grandparents.
- He would like to have his own room.

#### (+) Jody Li

- She is the niece of Catherine Yuen and Edwin Yuen. She is here to speak on behalf of Susie Yen who is a neighbor that could not attend the hearing but wrote a letter in support of the project.
- She also hopes that the Commission approves the project.

#### (+) Betsy Ho

- She lives on 29th Avenue, one block from the proposed project.
- She is here to show support of the project and to her neighbors.
- As a property owner everyone has the right to build on his or her property.

#### (+) Roger Nottingham

- It is a really strange situation when a man originally wants to build in the back so he designs a tiny addition on top of his house and then the Commission approves to build in the back again.
- There has to be a limit to this and he hopes the Commission will approve the project.

#### (-) Jeff Rogers

- He lives next door to the proposed site.
- Previous speakers have stated that the extension is six feet. There are a lot of misunderstandings. The Yuen's house is already 50% larger than any of the other houses in the neighborhood.
- An addition is ok with the neighbors but a reasonable addition is all he asks for.
- A massive addition should not be allowed. If this addition is approved, they will go through the process of appeals.

#### (-) Steve Williams

- After the hearing in January of this year, he thought that they had an agreement.
- Jeff Rogers retained him some time ago.
- He wished that there was more time to look at the design.
- Two full stories would be a negative impact on the neighbors.
- There is no encroachment on the open space.
- This whole area will become a battleground unless there is a compromise.
- He would request that the second story be eliminated.

#### (-) Queta Rogers

- She understands that the project sponsor needs to expand.
- They are willing to accept an addition that is within the law.

#### (-) Michael Mourese Dolan

- He spoke at the January meeting.
- Michael Glesoff gave an address on Noriega Street that is his work address not his home address.
- This addition is outside of the scope of the surrounding properties. The project sponsor has a large home and many people live there.
- There is a bedroom that will be added behind the garage.
- There is a laundry area in the plans.
- He is a licensed real estate broker and was born and raised in San Francisco.

ACTION:

Take Discretionary Review and approve with modifications: to add

a one-hour roof and eliminate parapet.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

21. 2001.0198D

(NIKITAS: 558-6306) 25 RICO WAY - between Avila Street and Retiro Way; Lot 0439A in Assessor's Block 052. Request for Discretionary Review of Building Permit Application No. 2000/11/03/4794. The proposal is to demolish an existing two-story residence and construct a new three-story single-family home in an RH-1 (Residential, House, One-

Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take DR and approve project as revised by the

project sponsor.

#### SPEAKER(S):

#### (+) Alice Barkley

- She agrees with a continuance because there has been a request by Supervisor Gavin Newsom to mediate the dispute. As a courtesy to the Supervisor, she requests a continuance.
- She understands that the project falls within the streamlining act and agrees to a onetime 90-day continuance, waiving the original time limitation.

ACTION: AYES:

Continued to May 10, 2001

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

22. 2001.0253D (JONES: 558-6477)

3868-96 NORIEGA STREET - northeast corner of Noriega Street between 46th and 47th Avenues; Lots 53, 54 and 55 in Assessor's Block 2004. Request for Discretionary Review of Building Permit Applications: 9927325, 9937326, 9937327 for the demolition of a two-story structure and the construction of three mixed-use buildings, each containing three residential units (total 9 units) over commercial space in an NC-1 (Neighborhood Commercial Cluster District) and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project

as submitted.

# SPEAKER(S):

#### (-) Steven Ma

- He is a homeowner on 45<sup>th</sup> Avenue.

- He spoke to Mr. Samuels over the phone once and met once at the community board. He has tried to resolve their differences but hasn't been able to. That's why they are here.

- He gathered over 80 signatures of neighbors against this project.

- The construction would not follow the neighborhood characteristics. It will be considered an evesore.

- A two-story building would be more appropriate. This construction would cast a shadow over his neighbor's property.

- Parking and traffic are issues as well. If adequate parking does not exist or can't be provided, this proposal should not be constructed.

- The proposed house was built since the 1900s.

- He would like Mr. Samuels to lower the proposed construction.

- There are no 4th story homes in the neighborhood.

#### (-) Tim Hittle

- He and his fiancé own a home on 45th Avenue.

- If this house is built they will significantly lose the view they have of the ocean and the western sky. They have established an organic garden, which would be affected.

- The proposed structure is larger than a billboard near their house.

- They will lose both light and air with this new construction.

# (-) Michael Lother

- He lives directly across from the proposed structure.
- He has lived in his house since 1952.
- As time goes by he has seen how the original style of cottages is all but gone now.
- He talked to Steve about the actual proposal and objected more because the construction will be right in his face.
- The corner services two major bus lines (18 and 71).
- There are just no parking spaces after 7:00 p.m in this neighborhood.
- The 4th story just does not cut it.

# (-) Jonathan Francis

- He has lived on 48th Avenue for many years. He is really familiar with the area.
- This house deserves to be saved. This house could sell for less than \$300,000.
- Apartments will be built here--not condominiums. There are no other four stories in the area. The vast majority of the structures are original two stories.
- The least that could be done is to save the house and build on the rest of the property.
- (+) Lu Blazej Representing Project Sponsor
- This is the first time the Commission is seeing him on a Discretionary Review case.
- He took this case because Mr. Samuels, who is the project sponsor, was in distress since he had 9 units he wants to build in San Francisco--some affordable units and small commercial space.
- There were some design issues that staff raised but Mr. Blazej worked out these issues.
- Displayed an aerial photo of the site.
- There is parking available on all streets. Parking and traffic will not be an issue or a problem.
- There will be very little shadow impacts.
- There are no parapet or roof appendages.

#### (+) Mr. Seth Samuels

- He is one of three owners of three separate lots where there will be three separate buildings.
- Pattern of development in the Sunset; there are 4-story buildings in the area. For example: 22<sup>nd</sup> and Noriega, 22<sup>nd</sup> and Vicente, 23<sup>rd</sup> and Vicente, 47<sup>th</sup> and 48<sup>th</sup> and Judah, etc.
- There are many more 4-story buildings in the area.
- He passed to the Commissioners two books that have extensive pictures of 4-story buildings in the immediate neighborhoods.
- Regarding the parking problems, he believes this is a bogus issue.

#### (+) William Heijn - Project Architect

- He doesn't have much to add only that he is available for questions.

#### (-/+) Mario Pilpel

- He owns property on Noriega Street.
- He is concerned about the historical significance of the property since he used to run a pharmacy across the street from the subject property where in the early 70's a musical group called The Tubes used to practice there. Since then it's been vacant.
- He spoke to Mr. Samuels and said that all the neighbors agreed to the project and that is not true. He told Mr. Samuels he did not support the project.
- The aerial photos were taken in 1995; in July of 1995 he closed the pharmacy he was operating; there was no traffic being generated by that location until approximately a year later.
- What Mr. Blazej mentioned is not a valid conclusion.
- On Sunday mornings, it is difficult to park in the area because there is church there.

ACTION:

Public Comment Closed. Continued to May 10, 2001 with

instruction that the sponsor is to explore finished materials for each building with staff.

AYES:

Baltimore, Chinchilla, Fay, Joe, Salinas, and Theoharis

### F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) Responding to statements made or questions posed by members of the public; or
- (2) Requesting staff to report back on a matter at a subsequent meeting; or
- (3) Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKERS: None

Adjournment: 6:23 p.m.

THE DRAFT MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 14, 2001.

